

ZONING REGULATIONS

of the

TOWN OF REDDING

Connecticut



Statutory zoning authority was adopted for the Town of Redding, and a Zoning Commission established as provided by law, at a Town Meeting held May 26, 1950. The original Zoning Regulations became effective June 30, 1950. The present, completely revised Zoning Regulations became effective February 1, 1986. Amendments since that time are appended, with the effective dates shown.

G M A P

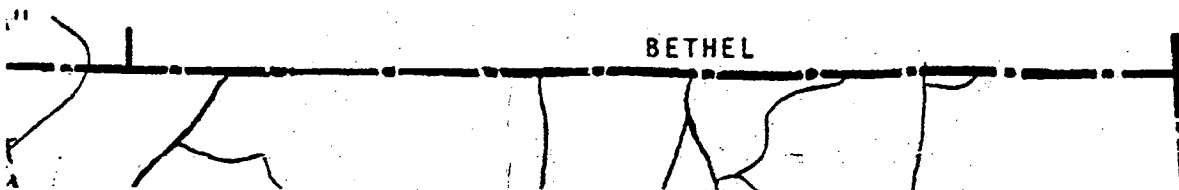
CONNECTICUT

ZONES:

R-4	Conservation Residential	SDD	Special Development District
R-2	Rural Residential	NB	Neighborhood Business
R-1	Low Density Residential	SB	Service Business
R-1/2	Suburban Residential	BC	Business Center
RV	Village Residential	OR	Office & Research Park
HMC	Historic Mill Center		

Zone boundary lines, except where otherwise noted, follow Town boundaries, centerlines of road rights-of-way, and lot lines of record, or are parallel or perpendicular thereto. Refer to Zoning Regulations of the Town of Redding for standards governing each zone and for rules for determination of zone boundaries.

Map officially adopted February 1, 1986 ; amended to January 1, 2002



On April 24, 2002, the Redding Zoning Commission adopted the following changes to the Regulations:

Specifically: Section 5.1 - Permitted Special Uses and
Section 5.17 - Nonconforming Sites and Uses

5.17 - Nonconforming Sites and Uses (pp. 114-116)
5.17.2 - Nonconforming Buildings and Structures (p.115)

A lawfully existing building or structure, which fails to meet the minimum yard, setback or parking requirement or exceeds maximum height, coverage or impervious area limits, or otherwise fails to comply with the specified construction standards of these Regulations for the Zone in which located, is respectively a nonconforming building or nonconforming structure.

A nonconforming building or structure shall not be enlarged or extended, except where the enlargement or extension is in full conformity with these Regulations.

Reasonable repairs and alterations, which do not increase the nonconformity of the building or structure, or of any nonconforming use therein, may be made provided such work complies with the Regulations.

5.17.3 – Nonconforming uses (p. 116)

(Replace in its entirety with the following. Bold represents new language in the section.)

Any lawful use of land or lawful use of a building or **Structure**, which use, however, does not comply with the permitted uses or permitted special uses specified by these Regulations for the Zone in which it is located, is a nonconforming use.

April 26, 2002

The following definitions, which were approved on March 28, 1990, were omitted from the current printing of the Redding Zoning Regulations. They are hereby incorporated, by addendum, on February 28, 2000.

8.1.13 Affordable Housing - A dwelling having a sales price which meets the Connecticut Housing Finance Authority Eligibility Guidelines at the time of the sale of the dwelling unit.

8.1.52 Elderly or Elderly Housing - When referring to dwelling units for the Elderly, the term Elderly shall mean people age 62 or over or couples, one of whom is over age 62.

8.1.93 Historic Building or Historic Structure - A building or structure which is specifically identified on the National Register of Historic Places, or is eligible to receive such designation, or which meets the criteria for a Town Landmark under Section 5.8.1.

No nonconforming use shall be expanded or enlarged beyond the extent of building size, floor space and site area it occupied on the effective date of these Regulations, or pertinent amendments thereto.

No nonconforming use may be changed except to a use which is permitted by these Regulations for the Zone in which the use is located or to another nonconforming use less intensive in nature and more consistent with the uses permitted in the Zone in which the building, structure or site area , is located, as determined by the Commission.

On June 27, 2001, the Redding Zoning Commission adopted the following changes to the Regulations:

- 8.1.245: definition of Structure. (Words underlined are deleted; bold type is added).
“Any construction composed of a foundation and supporting member(s) which is erected on or attached to a fixed location on a site or building. Structures include **but are not limited to:** buildings, sheds, bridges, utility poles and towers, sign posts, antennas, light poles, walls and fences, swimming pools, decks, tennis courts, **and enclosed terraces and the like.** Structures also include any above-ground utility or mechanical equipment installations which exceed two (2) square feet in individual site area, such as telephone booths, pad-mounted transformers, gasoline pumps, dumpsters, and vending machines. Structures do not include ground level driveways, roads, sidewalks, unenclosed terraces and underground utilities such as electric conduits, drainage and septic systems (Sections 3.1, 3.2, 3.7, 3.9, 3.10, 3.12, 4.2, 4.6, 5.1.4, 5.2.4, 5.4.5, 5.8, 5.17.2, 6.2, 6.3).”
- 5.11.2 (a) regarding Fairs previously read: “The restrictions stated in Section 5.11.1 (a) through (f) inclusive, shall apply.” This Section now reads: “The restrictions stated in Section 5.11.1 (b) through (f) shall apply.” This removes the restriction stated in 5.11.1 (a) that “No more than one such event shall be held on the premises in any one calendar year.”

(Note: In Classes 5, 6, and 7, WTF is a permitted Special Use which requires its own lot and must meet standards as stated for each Class.)

TIME: _____
DATE: _____
PLACE _____

With the exception of repeaters, no WTF shall be located within any of the following areas:

-- within 100 feet of a regulated wetland as defined in the Town's Wetland and Watercourse regulations;

-- within 200 feet of the outer riparian zone of any perennial stream, watercourse, or vernal pool.

Min lot area: Twenty-five acres, Min frontage; twenty-five ft. min WTF setback: 500 ft. from all lot lines or a distance equal to three times the height of Tower, which ever is greater.

Special Permit and complete impact assessment for all environmental and cultural features within 2000 ft. or WTF Site. As prescribed by Commission.

Leasehold, minimum area of one acre. WTF Site shall be minimum 500 feet from school.

**Redding Zoning Regulations SIGNS – Section 5.9 modification approved on
June 12, 2003**

(5.9.5) Temporary Political Preference Signs (No Permit Required) – a property owner or resident on the premises, may erect a reasonable number temporary, political preference sign indicating said owner/resident's political preference in any public office election or public referendum within the Town of Redding. Such signs may be erected no more than sixty (60) days prior to an election or referendum date and must be removed within two (2) days after the election or referendum date. Signs may not be affixed to utility poles, trees or structures; may not be placed within any public right-of-way or any other public area; and may not be placed in such a manner to impede lines of sight or otherwise adversely affect traffic safety. Maximum size for said signs shall be four (4) square feet.

(5.9.6) Municipal Signs – The Town of Redding may erect upon its property, or private property with the approval of the resident property owner, signs for Municipal purposes. Such signs may include such items as:

1. Municipal greetings(s);
2. Location and hours of operation and location of municipal facilities and schools;
3. Any badge, insignia or seal identifying any civic, charitable, religious, patriotic, fraternal or governmental agency, or similar such organizations operating within the Town and the meeting hours and/or location of such organizations;
4. Hours of and location of specific, municipal periodic activities or events -- posted not more than two (2) weeks prior to the date of said activity or event and removed within two (2) days after said activity or event. Such events include, but are not limited to, special recycling days, municipal elections or referendums, special Town events or parades, and similar activities.

The Board of Selectmen shall approve any proposed sign design, shall authorize placement upon municipal property (or request and receive prior permission from any resident property owner for placement), and shall approve any content prior to its being included on the sign. The size and design of such signs shall be submitted to the Zoning Commission for review and approval prior to placement on any property. Such signs may exceed specifications provided in 5.9.1 if requested by the Board of Selectmen and approved by the Zoning Commission. Such signs may be erected in any Zone within the Town after receiving Zoning Commission approval for each sign and its location.

RECEIVED

DEC 30 2004 @ 9:30 a.m.
Susan Henderson
REDDING
TOWN CLERKS OFFICE

**Revised Amendments to Redding Zoning Regulations – Section 5.9, Signs
effective December 30, 2004.**

(Replace present 5.9.1 (g) with the following):

- (g) Free-standing signs shall be located inside the front lot line, in a position that will not interfere with street or driveway visibility. No private sign shall be mounted on or affixed to utility poles, trees or structures, or placed on Town property, or extended into a public right-of-way (except postal boxes located in accordance with postal regulations). For the purpose of these regulations, any sign placed more than three (3) feet away from the paved or otherwise improved portion of a roadway will be deemed to be outside the public right-of-way. Free-standing signs shall not be located within twenty-five (25) feet of any roadway intersection, within fifteen (15) feet of any traffic directional or warning signs or in any traffic median or other directional control traffic island.

(Add new subsection (e) to 5.9.2, and change designation of present (e), (f) and (g) to (f), (g) and (h) respectively):

- (e) Temporary signs referring to a public office election or a referendum or other public or political issue.

(Replace present 5.9.5 with the following);

5.9.5 Temporary Political signs (No Permit Required) A property owner or resident on the premises may erect a reasonable number of temporary signs referring to public office election or referendum within the Town of Redding. Maximum size for said signs shall be four (4) square feet.

5.9.7 Enforcement – The Redding Zoning Enforcement Officer or other authorized zoning enforcement authority may remove any free-standing sign placed in violation of Section 5.9.1(g) located on Town Property or within traffic medians or directional control islands. A Cease and Desist notice will be sent to the property address where other signs in violation of Section 5.9.1 (g) are located with a request to move the sign to a conforming location. Signs so removed will be maintained at the Redding Zoning Office for one week following removal. If it is possible to identify a person who may be associated with the sign, that person will be notified that the sign was removed and may be recovered at the Town Zoning Office during regular hours.

RECEIVED

JUL 18 2005 @ 11:35 AM.

Michelle R. Hinde
REDDING TOWN CLERK

MODIFICATION TO SIGN REGULATIONS
EFFECTIVE JULY 18, 2005

The following is a proposed modification to the current Zoning Regulations. This modification is being put forth to the Zoning Commission due to a recent request of some realtors who currently conduct business in the Town of Redding.

In Section 5.9 Entitled "Signs" – Sub Section 5.9.2 Entitled "signs Permissible in all Zones" Sub item "(g)". "Open House Signs for real estate Agents" after the words "public events" in lines 3 & 4 and before the words "and Tag Sales.

1:19 PM
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IAN 30 2004

REDDING
TOWN CLERKS OFFICE

Allen M. J. [Signature]

**On January 28, 2004, The Redding Zoning Commission
adopted the following changes to the Regulations:**

**Section 3.9 of the Town of Redding Zoning Regulations
entitled "Walls, Fences, Terraces, Pools and Courts"**

In Subsection (a) line three after the word "grade" and before the
period "." Insert the following words:

"However the fence poles may be a maximum of eight (8) feet
above grade and the resultant space above the six (6) foot fence
may contain only a maximum of four (4) horizontal unobtrusive
single strand wires:

REVISED AS OF MARCH 10, 2004

REQUIREMENT (see notes below)	ZONE DESIGNATION									
	R-4	R-2	R-1	R-1/2	RV	NB	SB	BC	OR	
1. Minimum Lot Area (acres) (square feet)	4 174,240	2 87,120	1 43,560	1/2 21,780	nr	nr	1 43,560	nr	10 435,600	
2. Minimum Rectangle Area (in square feet)	90,000	50,000	30,000	15,000	6,000	nr	20,000	nr	200,000	
3. Minimum Lot and Rectangle Width (in feet)	300	200	150	100	60	nr	100	nr	400	
4. Minimum Lot Frontage (a) Front Lot (b) Rear Lot	50 25	50 25	50 25	50 25	40 25	100 rear lots are not permitted in these zones	100	50	300	
5. Minimum Building Setbacks (a) Front Yard in feet (b) Side Yard in feet (c) Rear Yard in feet (d) Utility Easement in feet (e) Boundary of Residential Zone in feet	60 50 60 25 not applicable for the residential zones	50 40 50 25 not applicable for the residential zones	50 25 40 25 not applicable for the residential zones	40 15 30 20 not applicable for the residential zones	25 15 30 15 not applicable for the residential zones	25 15 25 15 not applicable for the residential zones	50 25 25 15 not applicable for the residential zones	10 nr	100 50 100 25 not applicable for the residential zones	
6. Maximum Building Height in feet Maximum Building Coverage in % of lot	40 52	(10) 102	(10) 102	(10) 152	(10) 202	(10) 252	(10) 252	(10) 352	40 152	
7. Minimum Inner Court in feet	50	50	40	20	30	25	25	15	50	
8. Minimum Parking Setback, nonresidential uses (a) Front lot line in feet (b) Side and Rear lot lines in feet	50 100	50 100	50 100	25 15	25 15	15 10	15 10	6 nr	50 15	
9. Maximum Impervious Area in % of site	102	202	252	302	352	752	752	902	352	

NR: designates no specific requirement

Notes on requirements, by number

1. Minimum lot area: refer to Section 4.2.3 (area requirements, special uses, 3.6 (lot standards), and 5.13 (Special Residential Complex))
2. Minimum Rectangle Area: Refer to Sections 8.1.148 (definition), 3.6 (lot standards, required dwelling location), and 3.14 (exceptions).
3. Minimum Lot and Rectangle Width: Refer to Section 8.1.138 (definitions) and Section 3.14 (exceptions).
4. Minimum Lot Frontage: Required frontage must be continuous, but may extend along one or more roads. Refer to Section 8.1.133; also 8.1.78 and 8.1.185.
5. Minimum Building Setback: Refer to Sections 8.1.221 (definition), also 3.10, 3.11, 5.1.4, 5.1.2 (apartments), 5.14.4 (farm structures); additional setbacks may be required.
6. Maximum Structure/Building: Refer to Section 8.1.92 and 8.1.245 (definitions) and 3.12 (Height exceptions).
7. Minimum Inner Court: No requirement for single family dwellings; see Section 3.10.
8. Minimum Parking Setbacks: for residential requirements, see Section 5.6.4.
9. Maximum Impervious Area: Refer to Section 8.1.105 (definition).
10. Or 3 Stores, whichever is less

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MAR 15 2004

TOWN CLERK'S OFFICE

1:15 PM
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MAR 15 2004

REDDING
TOWN CLERK'S OFFICE
Allen M. Jensen

On March 10, 2004 The Redding Zoning Commission adopted the following changes to the Regulations:

Sections 8.1.92 and Section 4.6 Regarding Height of a Structure

Revise the Height of a Structure from thirty-five to forty-feet per Item 4.6 of schedule of requirement. Item 6 "Maximum Structure Height (feet)" Also added footnote No. 10 "or 3 stories, whichever is less".

RECEIVED

APR 14 2004 @ 1:00 P.M.

REDDING
TOWN CLERKS OFFICE

The Applicants, Georgetown Land Development Company, LLC and ARR Georgetown, LLC being all of the owners of the real property located within the HMC Zone in Redding Connecticut, do hereby request that the Zoning Regulations of the Town of Redding, Connecticut be amended as provided herein, in order to:

- ♦ Provide a mechanism to better permit and encourage the adaptive reuse and redevelopment of central Georgetown, as provided in Section 2.12 of these regulations; and
- ♦ Better achieve the objectives of the Redding Town Master Plan of Development, the Georgetown Supplement to such Master Plan and the Georgetown Master Plan Committee; and
- ♦ Ensure that the redevelopment of the property within the HMC zone will be accomplished in an integrated and coordinated plan, consistent with the goals and objectives of the Town of Redding, its Planning Commission and its Zoning Commission, and the Village of Georgetown.
- ♦ Create a procedure, through the use of the existing Master Plan process, whereby the applicant and the municipal commissions overseeing the process, can address the conceptual elements of an application without the burden of dealing with the level of detail normally required in a site plan application.

The following amendments are proposed:

1. Amend Section 4.1 "SDD Special Development District", as follows:

"Intent of Zone: To permit and encourage variety and flexibility in ~~(residential)~~ land development through modification of regular standards applicable to the permitted uses of land within a zoning district, providing that uses of land within the Special Development District be in harmony with the objectives and policies of the Plan of Development. "

2. Amend Section 4.2.7 – Special Development District, introductory paragraph, to read as follows:

"On application by all owner(s) of affected property in the NB, BC, OR or HMC zones, or of a particular site recommended for such designation on the Town Plan of Development as adopted by the Redding Planning Commission, the Zoning Commission may establish a Special Development District (SDD) in accordance with the following specifications and standards:
....."

3. Amend Section 4.2.7 (b), to read as follows:

"The property area subject to the change to SDD shall either be all of the land in the HMC Zone, or shall not be less than fifty (50) acres of contiguous land. "

4. Amend Section 4.2.7 (d) by adding section 4.2.7 (d) 3, as follows:

“4.2.7 (d) 3. In the HMC Zone, any combination of uses as permitted in the HMC Zone, or any combination of other uses and structures as deemed appropriate by the Zoning Commission, provided that such uses, and the size and location of structures have been approved by the Zoning Commission in conjunction with an SDD application, or an amendment thereto.

5. Amend the second sentence of Section 4.2.7 (f) as follows:

“ On adoption by the Commission, the particular regulations for each SDD, including its approved site plan(s), shall supplant and replace the previous zoning classification and all other regulations pertaining to the SDD area. “

6. Amend Section 4.2.7 by adding the following new Section 4.2.7 (g), as follows:

“In the HMC Zone, an applicant requesting to establish a Special Development District may, at its discretion, request that the Zoning Commission establish a Special Development District in accordance with the procedures established for a Master Plan Special Permit, as set forth in Section 5.1.2 of these regulations.”

Following is a copy of the existing SDD regulations, Section 4.2.7 of the Redding Zoning Regulations

ZONING DISTRICTS

4.2 Residential Zones

4.2.6 - Special Regulations Governing PRV Zone - continued

- (e) designed residential community fully satisfies the special design criteria of Section 5.2.9, provides for preservation of significant Historic Buildings and/or Historic Structures in the project area, protects the tranquility and character of adjacent residential neighborhoods, serves a community need, and is in general harmony with the intent of the PRV zone.

4.2.7 - Special Development District

On application by all owner(s) of affected property in the NB, BC, or OR zones, or of a particular site recommended for such designation on the Town Plan of Development as adopted by the Redding Planning Commission, the Zoning Commission may establish a Special Development District (SDD) in accordance with the following specifications and standards:

- (a) Application shall be for amendment to the Zoning Map, as provided in Section 7.1, and be accompanied by perimeter survey, certified Class A-2, which accurately identifies the proposed SDD boundaries and the names and addresses of all included and abutting property owners.
- (b) The property area subject to the change to SDD shall not be less than fifty (50) acres of contiguous land.
- (c) The application shall be accompanied by a site plan or plans which fully conform with the requirements of Section 5.2.1 through 5.2.8 inclusive, and Section 5.2.9 a,c,d,e,f, and g. In addition, a written report shall be submitted describing the precise uses of the land, buildings or other structures, and the minimum bulk, minimum area, proposed affordable housing and open space, and location standards applicable to the SDD.
- (d) Permitted principal uses shall be limited to one of the following:
 - 1. Retirement-village residential community, deed-restricted to residents fifty (50) years of age and older.

continues

ZONING DISTRICTS

4.2 Residential Zones

4.2.7 - Special Development District - continued

- (d) 2. Life-care residential community, including a range of housing types and a nursing-care facility to serve the needs of the elderly and infirm.
- (e) Permitted accessory uses shall be as determined appropriate by the Commission for each application.
- (f) Each application shall be judged by the Commission on its merits, as a change of zone application, in serving a community need and for compatibility with the Statement of Purpose of these Regulations. On adoption by the Commission, the particular regulations for each SDD, including its approved site plan(s), shall supplant and replace the previous zoning classification of the SDD area. All other requirements of these Regulations shall remain in full force.

4.3 Business Zones

Within the respective Business Zones (NB, SB, BC), use of buildings, structures and land shall be only for the permitted uses cited in each Zone. All new and enlarged uses shall require a site plan approved by the Zoning Commission, as provided by Section 5.2.

4.3.1 - Neighborhood Business (NB) Zone

(a) Permitted Principal Uses:

-Stores and shops for the conduct of retail trade in customary household, personal and convenience goods, including: food, apparel, stationary, prescription drugs, flowers, bakery products, hardware, home furnishings, garden supplies, books and periodicals, toiletries, art and artist supplies, cameras, jewelry, antiques, candy and tobacco, shoes, gifts, textiles, furniture, decorating supplies, plants leathergoods, sporting goods, records and musical instruments, radio and television, household appliances, automotive parts, packaged liquor, health supplies, toys, paper goods, china, glassware, clocks, and other light retail merchandise as approved by the Commission.

continues

**Adopted Amendments to Zoning Regulations of the
Town of Redding:**

**TO IMPLEMENT THE TOWN PLAN FOR MAIN STREET AND
OLD MILL ROAD WITHIN THE BUSINESS CENTER ZONE**

(Statement of Purpose: See proposed Amendments to the Redding Town Plan of Conservation and Development, Description and Purpose as considered at public hearing September 12, 2004 and adopted effective October 12, 2004).

Section 4.1, District(s) Established

(Delete present text of subsection BC Business Center Zone and replace with the following. *New text is in italics.*)

BC Business Center Zone

Intent of zone: To provide a comprehensive business center for retail trade and services needed by the community at large, *as part of a balanced community of residential, business and civic uses within central Georgetown, to be planned for a small village setting compatible with the natural and residential environment of the surrounding area.*

Section 4.3, Business Zones

(Amend present text of subsection 4.3.3 – Business Center (BC) Zone, subsection (b), Permitted Accessory Uses to delete present text and substitute the following. *New text is in italics.*)

(b) Permitted Accessory Uses:

- *Off- street parking and loading, as provided by Section 5.6.*
- *Signs, as provided by section 5.9.*
- *Satellite dish antenna, as provided by Section 5.16.*
- *Fully enclosed or screened outdoor storage and utilities, wherever determined necessary by the Commission for reasons of safety. The exterior display of merchandise for sale is prohibited, except as shown on the site plan approved by the Commission.*

(continued)

- *One or more, but not more than four (4), residential or studio apartment(s) where approved by the Commission as part of a requisite site plan, provided such apartment(s) shall:*
 - *be clearly subordinate to a permitted business use on the same site, and located only on the second or third story of a building;*
 - *not exceed, in total apartment floor area, thirty percent (30%) of the developed floor area on the same site;*
 - *contain not less than six hundred (600) nor more than one thousand (1000) square feet of floor area per apartment unit, nor more than two (2) separate bedrooms within each apartment unit;*
 - *be provided with a separate entrance for each apartment unit and with two (2) parking spaces for each apartment unit.*

(Amend subsection 4.3.3 – Business Center (BC) Zone to add the following new text):

*(d) Special Regulations for Remainder Portions of Lots Divided By Building Lines**

Where any lot in BC Zone has been divided by one or more building lines established by the Planning Commission pursuant to Section 8-29 of the Connecticut General Statutes, and the owner(s) of such lot have conveyed land recommended for public acquisition to the Town of Redding in full compliance with the requirements of Section 5.6.9 of these Regulations, the following regulations govern any portion of such lot which lies outside the portion donated to the Town of Redding and the portion of said lot within which parking and setback requirements do not apply (as provided in Section 5.6.9).

Subject to a Special Permit and site plan approved by the Commission in accordance with Sections 5.1 and 5.2, single family or multiple family residential use may be authorized at a density not to exceed one dwelling per each 8,000 square feet of remainder site-ownership area, provided:

- 1) The application includes verification of permission to connect all units to public water supply and sewer;*
- 2) Safe access to all units shall be provided by a driveway capable of two-way traffic, in accordance with design standards and a circulation plan approved by the Commission;*

(continued)

**See Section 8.1.205 (DEFINITIONS) for definition of Remainder Portion of a Lot Divided by Building Line.*

- 3) *Except where waived by the Commission as unnecessary for circulation or found infeasible due to topography, a pedestrian accessway, safely designed and suitably landscaped at least ten (10) feet in width, shall connect the residential portion of the site to the nearest portion of the site's street frontage;*
- 4) *Landscaped open space shall surround all sides of each building, with variations in spacing permissible to accommodate necessary parking and driveways, and all buildings shall be separated by at least twenty-five (25) feet of intervening space;*
- 5) *Two on-site parking spaces shall be provided for each residential unit, as provided in Section 5.6;*
- 6) *Residential, accessory parking, open space and parkland uses shall be the only permissible uses within such Remainder Portions of lots in BC Zone;*
- 7) *Setbacks from Residential Zone boundary lines, as specified by Sections 4.6 and 5.6.4 of these Regulations, shall continue to apply.*

Section 5.6.9 – Land Donated for Public Parking

(The first paragraph of this section remains unchanged. Amend the second paragraph “Where the owner . . .” by substituting the text in italics, as follows:)

Where the owner of any land thereby recommended for public acquisition donates the delineated parcel to the Town of Redding for public street and parking use, without financial consideration, and said Town accepts the same, the following exemptions from these Regulations shall apply to the portion of the donor's property lying adjacent to and within fifty (50) feet rearward from any building line established as provided in this section:

(Amend subsections (a), (b) and (c) as follows. New text is in italics:)

- (a) *No front, side or rear yards, and no maximum structure coverage or impervious area shall be required, except that setbacks from Residential Zone boundary lines specified by Sections 4.6 and 5.6.4 of these Regulations shall continue to apply. If a side yard is provided it shall be at least eight (8) feet in width and provided with a landscaped pedestrian walk.*
- (b) *Maximum floor area of any building shall be equal to twice the land area which lies within fifty (50) feet of an established building line, except that any lot with one hundred (100) or more feet of street frontage shall*
(continued)

reserve an access way at least twenty (20) feet in width for pedestrian and/or vehicular access to the rear of the same property.

- (c) *No parking or loading facilities need be provided for the building area which lies within fifty (50) feet of the building line established as provided above, for non-residential uses. Residential uses require two (2) parking spaces per unit as described in Section 5.6.2.*

(Add the following new subsections:)

- (d) *The front facades of all buildings shall be located within five (5) feet of the established building line. Any front yard provided shall require Commission site plan approval for design in harmony with its surrounding streetscape. All front entrances to buildings shall be at substantially the same level as the streetside sidewalk, and shall be handicapped accessible.*

- (e) *First-story or ground-level residential and parking uses are prohibited within fifty (50) feet to the rear of an established building line.*

See definition of "Building Line", Section 8.1.27.

Article VIII, DEFINITIONS

(Add the following new section:)

8.1.205 Remainder Portion of a Lot Divided By Building Line –

That portion of a tract of land which remains in private ownership, after said tract has been divided by a Building Line pursuant to the General Statutes and Section 5.6.9 hereof, and portions of the same tract as designated on the adopted Building Lines Map for public acquisition and for special exemptions from these regulations have been excluded from said tract (Sections 4.3.3, 5.6.9).

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AMENDMENTS INCORPORATED AND REPRINTED JUNE 1999

Z O N I N G R E G U L A T I O N S

of the

Town of Redding, Connecticut

Article I

AUTHORITY

1.1 Regulations Adopted

Pursuant to the General Statutes of Connecticut, Chapter 124 (as amended), and all judicial delegations of authority now and hereafter made, the following regulations are hereby adopted as the amended Zoning Regulations of the Town of Redding.

1.2 Commission Responsibility

The Redding Zoning Commission is the legally constituted zoning authority of the Town. The Zoning Commission shall exercise the powers and responsibilities conferred on it by law, except where specified powers are delegated to others by these Regulations.

Article II

STATEMENT OF PURPOSE

In accordance with the Connecticut General Statutes, Chapter 124, the following purposes govern these regulations:

- 2.1 To preserve the predominant residential, rural and agrarian characteristics of the Town of Redding, and to protect the health, safety and general welfare of its inhabitants;
- 2.2 To guide the growth and development of the Town in accordance with a comprehensive plan designed to promote the most appropriate use of the land and most beneficial locations for residential, commercial, public facility, conservation and other needs of the community, especially as recommended in the adopted Town Plan of Development;
- 2.3 To provide adequate light, air and privacy for all sites;
- 2.4 To prevent the overcrowding of land, and to avoid undue concentration of population;

STATEMENT OF PURPOSE

- 2.5 To secure safety from fire, panic, flood, erosion, air pollution, water pollution, and other dangers;
- 2.6 To conserve the value of land and buildings throughout the Town and the various Zones established therein;
- 2.7 To protect the character and economic stability of the Town, by assuring that development is commensurate with available roads and other public facilities, and with the capacity of the land to support safe water supply and sewage disposal;
- 2.8 To bring all land and buildings to eventual conformity with these regulations, and to minimize future conflicts among the various uses of land and buildings;
- 2.9 To promote the orderly and economic development of the community by lessening traffic congestion, by controlling nuisances, and by encouraging energy-efficient and soundly-planned public and private facilities;
- 2.10 To prevent contamination of groundwater and of surface water, including all streams, ponds, wetlands, aquifers, flood plains, well fields and water supply sources, and to control the erosion and siltation of water courses; and
- 2.11 To conserve and protect the Town's natural and cultural resources including: historic structures and sites; areas of scenic beauty, recreational potential, and major ecological significance; and basic resources such as soil, water, atmosphere, vegetation and wildlife; in recognition of the indispensable contribution of each of these resources to a livable environment of the community.
- 2.12 To permit the adaptive re-use and redevelopment of central Georgetown for multiple use(s) and multi-family housing commensurate with the adequacy of roads and utilities to support such re-uses(s) and redevelopment.

Article III

GENERAL PROVISIONS

The following Sections, (3.1 through 3.14 inclusive) apply to all Zones, uses and structures within the Town of Redding.

3.1 Conformance to Regulations Required

No use of land, buildings or structures within the Town of Redding shall be made, and no construction, reconstruction, alteration or enlargement of any building or structure shall be undertaken, unless in conformity with all requirements of these Regulations; except, however, as provided from nonconforming sites and uses and for variances (see Sections 5.15 and 6.6).

3.2 Regulations Control All Uses

These Regulations apply to every building, structure, site and use within the Town of Redding.

In the event of any conflict between the requirements of these Regulations and any other legally constituted ordinance, by-law, or regulation, the more restrictive provision shall apply.

These Regulations shall not annul or abrogate the provisions of any validly established private covenant, deed restriction or easement, except that where such private agreement imposes lesser restrictions the provisions of these Regulations shall prevail.

3.3 Uses Not Permitted Are Prohibited

Only those uses specifically identified as "Permitted Principal Uses", "Permitted Accessory Uses", and "Permitted Special Uses" shall be permissible in their respective zones (see Article IV). All other uses are hereby expressly prohibited.

3.4 Noxious Activities Prohibited

Any activity or use which is found to be noxious, or injurious to nearby residents or to the community, shall not be deemed to be a permissible use and is hereby prohibited (see, also, Section 5.3). Such noxious activities include, but are not limited to, the following: manufacture of explosives, chemicals, asphalt, fertilizer, petroleum distillates, creosote, paints, lacquer, plastics, resins,

GENERAL PROVISIONS

3.4 Noxious Activities Prohibited – continued

soap, detergents, solvents, alcoholic beverages (except beer and wine), pesticides, rubber products, asbestos products, adhesives, and the like; smelting or refining of raw materials; fabrication of heavy industrial products; junk yards and refuse dumps (except the Town of Redding Transfer Station); bulk storage of gasoline, naphtha, liquified petroleum gas, or toxic, radioactive or highly corrosive chemicals; and the following activities: bowling alleys, pool or billiard parlors, electronic game parlors, kennels, circuses, amusement parks, race tracks, loudspeakers, sound amplifiers, and dish antennas for signal redistribution.

3.5 Zone Boundries

The specific boundaries and extent of the various zoning districts ("Zones", see Section 4.1) are defined by the official Zoning Map: Redding, Connecticut.

The said Zoning Map, as adopted and amended by the Commission, is hereby incorporated by reference.

Zone boundary lines follow Town Boundaries, lot lines, street lines, the centerlines of public rights-of-way (such as roads, railroads, and utility lines), or are parallel or perpendicular thereto, except as otherwise indicated or fixed by dimensions on the Zoning Map.

If the zone classification of any water area, public land, or other area is in doubt, the same area shall be deemed to lie wholly in the most restrictive adjoining zone. If a lot is divided by a zone boundary, regulations for the less restricted portion of the lot shall be applied to any portion of the lot which lies in a more restricted zone. Where uncertainty exists as to the precise location of any zone boundary, its location shall be determined by the Zoning Commission.

3.6 Basic Standards Governing Lots

Every building and principal use shall be located on a lot (see Definitions, Section 8.1.130 and 8.1.172).

Every lot shall be capable of safe, legal access from a public road or street. When developed, the lot shall be provided with a driveway for use by emergency

-continues-

GENERAL PROVISIONS

3.6 Basic Standards Governing Lots - continued

vehicles such as fire apparatus, police and rescue vehicles.

No structure housing a principal use shall be located on any part of a lot which lies outside the prescribed minimum rectangle (see Sections 3.14, 4.6, and 8.1.148). Within residential zones, there shall be not more than one principal use, along with it permitted accessory uses and buildings, on each lot.

Every lot granted, or revised with respect to area or boundaries, on or subsequent to September 2, 1988, shall be accurately mapped by a survey certified "substantially correct" in accordance with "Class A-2" survey criteria of the Connecticut Associated of Land Surveyors. Any new or revised lot shall be verified by the Zoning Inspector for compliance with the Zoning Regulations; such verification to be noted on the survey map prior to filing. A new or revised lot shall not become legal or effective under these Regulations until the requisite survey map has been recorded in the Redding Town Land Records.

A rear lot, where permitted by these Regulations, shall include an accessway in the same ownership as the lot it serves. Such accessway shall have a continuous width, measured directly from sideline to sideline, which is not less than the required minimum lot frontage, and shall also be suitable for use as a driveway (3.8 & 8.1.185).

The following portions of a lot shall not be included in determining the minimum area of the lot as specified by these Regulations (see 4.6):

- (a) Road or street right-of-way.
- (b) Any combination of the following types of land, in excess of 25% of the requisite minimum lot area: land under water or subject to annual flooding, regulated wetland, and land reserved for specific use by others (such as utility line easements and driveway rights-of-way). Negative easements and easements limited to slope, drainage, sightline or conservation purposes, however, may be fully counted toward minimum lot area. (See 8.1.50).
- (c) Any narrow portion of a lot, where the distance between the separate lot lines is less than half (50%) the required minimum width, excluding, however, corners formed by intersecting lot lines.

3.7 Accessory Uses and Structures

Accessory uses are limited to those specifically permitted by these Regulations (See Sections 4.2 through 4.5 inclusive, and 8.1.10, 8.1.12). Permits and approvals shall be required as for principal uses.

Each accessory use, building and structure shall be located on the same lot as the principal use or structure which it serves (for shared parking exception, see Section 5.6.6).

Accessory buildings and structures shall meet all setback, height, coverage, inner court, and impervious area requirements as specified by the "Schedule of Requirements" (Section 4.6) hereof, except as otherwise provided by Sections 3.9 through 3.13.

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GENERAL PROVISIONS

3.7 Accessory Uses and Structures - continued

Accessory uses shall be subject to the same standards of environmental compatibility as permitted principal uses (see Section 5.3).

3.8 Driveways, Parking Facility Driveways, Satellite Parking Facility Driveways, and storage of vehicles and equipment.

Within Residential Zones (R-4, R-2, R-1, R-1/2, RV) the following regulations apply:

- (a) Except where a driveway is shared with another lot, lies within an accessway less than thirty (30) feet in width or is part of a parking facility, a driveway (see 8.1.44) shall observe a setback of not less than ten (10) feet from all side and rear lot lines.
If a driveway is shared with another lot, or lies within an accessway less than thirty (30) feet in width, there are no setback requirements.
A parking facility driveway shall meet the parking setback (except front lot line) specified by Section 5.6.4. A satellite parking facility driveway shall meet the parking setbacks specified by Section 5.6.4.
- (b) Each driveway serving a dwelling or its permitted accessory uses shall meet the following standards:
 - minimum width of travelway: 10 feet; except 15 feet where also serving an accessory office use;
 - minimum gradient (slope): first 20 feet back from travelway of frontage road, 5%; remainder, 12% (except 12% - 15% where approved in subdivision);
 - surface treatment: must be paved first 20 feet back from travelway of frontage road;
 - minimum sight-line distance, at 15 feet back from travelway of frontage road: 250 feet to approaching vehicles on road.
- (c) Each Parking Facility Driveway shall meet the following standards:
 - width: 20-24 feet, at the Commission's discretion, based upon the frequency of use, topography of the land, and the features of the driveway. A parking facility driveway serving a parking facility of fewer than 20 cars may have a minimum width of 14 feet after meeting the above requirement for the first 20 feet from the travelway.
 - maximum gradient (slope): first 20 feet back from travelway of frontage road, 5%; remainder, 12%.
 - surface treatment: as indicated in Section 5.6.5 (d).
 - minimum sight-line distance at 15 feet back from travelway of frontage road: 250 feet to approaching vehicles on road.
- (d) Each Satellite Parking Facility Driveway shall meet the following standards:
 - width: 12-20 feet, at the Commission's discretion, based upon the frequency of use, topography of the land and features of the driveway.
 - maximum gradient (slope): 12%.
 - surface treatment: as indicated in Section 5.6.5 (d).

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GENERAL PROVISIONS

3.8 Driveways, Storage of Vehicles and Equipment - continued

- (e) Commercial vehicles and construction equipment shall not be stored on any lot in a Residential Zone unless such storage is clearly incidental to a permitted use thereon and fully enclosed within a garage. During the course of a permitted construction project only, necessary construction equipment may be temporarily stored within the specified building setback lines on the site of the work while actively engaged in such work. (See Definition of "Commercial Vehicles, Section 8.1.33.)
- (f) Recreational vehicles (see Definitions, Section 8.1.190), owned and regularly used by residents of the premises, may be stored on the premises provided such vehicle locations comply with all building setbacks specified in Section 4.6 and said vehicles are either garaged or screened from off-premises view. No trailer or other vehicle shall be used for residential, commercial, office or storage purposes while parked on a residential lot or in any driveway adjacent to a residential lot.

3.9 Walls, Fences, Terraces, Pools and Courts

Within all Zones, the following requirements govern the designated types of structure:

- (a) Walls and fences located within required yards, or specified setback areas, are limited to a maximum height of six (6) feet above grade. In reviewing a site plan, however, the Commission may require installation and maintenance of a higher fence or wall wherever it determines such to be necessary to protect an adjoining residential area.
- (b) Paved terraces, if unroofed, may extend into required yard spaces to one-half the specified yard depth or setback requirement.
- (c) Swimming pools, tennis courts and other constructed recreation courts shall observe the same setback requirements specified for buildings and structures.

3.10 Inner Courts

An "inner court" is an area which is open to the sky but lies between opposite walls of buildings or between opposite walls of other structures at least twelve (12) feet in

GENERAL PROVISIONS

3.10 Inner Courts - continued

height within the same site. Inner court dimensions are measured on a horizontal plane, perpendicular to each building face or opposing wall.

To preserve adequate sunlight and air circulation, and prevent overcrowding of sites, the following minimum dimensions shall be maintained across all inner courts except those adjoining single-family dwellings and their accessory structures:

- | | |
|-----------------------------------|------------------|
| (a) Residential R-4, R-2 Zones: | Minimum 50 feet. |
| (b) Residential R-1 Zone: | " 40 feet. |
| (c) Residential R-1/2, R-V Zones: | " 30 feet. |
| (d) Business NB, SB Zones: | " 25 feet. |
| (e) Business BC Zone: | " 15 feet. |
| (f) Office and Research OR Zone: | " 50 feet. |

3.11 Projecting Features of Buildings

No building or portion of a building shall extend into a minimum building setback area (required yard), except as follows:

- (a) Cornices, eaves, entrance canopies and roofline projections may extend into any required yard by not more than thirty-six (36) inches, provided there is no encroachment on required yards by supporting walls or columns.
- (b) Fire escapes, chimneys, unenclosed entrance porticoes, window awnings, planters, and essential utility features such as meter boxes and cooling equipment may extend into any required yard by not more than thirty-six (36) inches, provided the aggregate length of such features does not exceed 25% of the length of the adjoining wall of the building.

No porch, carport, bay window, garage or other enclosed or occupied building space, however, may extend into a required yard. (See definitions of "Building", Section 8.1.26 and "Yard", Section 8.1.290).

3.12 Height Exceptions

The specified height limitations of these Regulations, Section 4.6, apply to all buildings and structures in their respective Zones, except as follows:

GENERAL PROVISIONS

3.12 Height Exceptions - continued

- (a) For steeples, spires, belfries and domes of public or institutional buildings, flagpoles, siren towers, broadcast antennas, utility poles and towers, water standpipes; a maximum height equal to setback distance of the highest point of the feature from side or rear lot lines, or 100 feet, whichever is least.
- (b) For the following building appurtenances carried above the roofline -- chimneys, ventilators, cooling towers, solar collectors, wind vanes, ornamental cupolas, radio and television antennas; a maximum height of 15 feet above the height limit specified by Section 4.6, provided such features occupy no more than twenty percent (20%) of the total roof area.
- (c) A wind energy conversion system, as authorized in Section 5.15.
- (d) A tower and/or antennae functioning as an essential component of a wireless telecommunications facility authorized as in Section 5.19.

[bold type indicates amendment to regulations of June 1998.]

For definition of "Height", see Section 8.1.92.

3.13 Setback Exceptions

The specified Minimum Building Setback requirements of these Regulations (Section 4.6) apply to all buildings and structures in respective zones, except as follows:

- (a) Essential bridges, drainage structures, utility lines, guard rails, retaining walls, dams, causeways, and erosion-control works are exempt from setback requirements.
- (b) Customary and necessary structures on public rights-of-way, such as utility poles, street lighting, postal boxes, and pad mounted transformers, are exempt from setback requirements.
- (c) Special setback requirements govern walls, fences, and terraces (Section 3.9), parking facilities (Section 5.6.4), signs (Section 5.9), detached residential apartments (Section 5.12.5), and farm structures (Section 5.14.4).
- (d) Bus passenger shelters; see Section 4.2.3 (p).
- (e) Where an existing dwelling has been made non-conforming with respect to setback at the adoption of these Regulations (February 1, 1986), additions may be added as follows:

-continues-

GENERAL PROVISIONS

3.13 Setback Exceptions - continued

1. The nonconforming ground coverage area may be enlarged by not more than twenty-five percent (25%), provided such addition:
 - extends no closer to the same front, side, or rear lot lines than the nonconforming setbacks of the existing dwelling; and
 - does not exceed the height limit of the existing structure or of these Regulations*, whichever is less.
2. A patio, deck, or porch may be added provided that such an addition:
 - extends no closer to the same front, side, or rear lot line than the non-conforming setbacks of the existing dwelling or structure; and
 - is in full conformity with all other provisions of these Regulations*.

3.14 Minimum Rectangle Exceptions

The specified Minimum Rectangle (see Sections 4.6 and 8.1.148) is required of all lots in their respective Zones, except as provided below.

A lot which has been in continuous existence from the effective date of these Regulations*, without alteration of the lot area or boundaries, may observe the following exceptions where applicable:

- (a) Where the lot cannot accommodate the specific Minimum Rectangle prescribed by Section 4.6, because of its shape or the position of existing buildings, the Minimum Rectangle shall be that rectangle which fully accommodates the principal building(s) on the lot and most closely approaches the area and width of rectangle specified by Section 4.6.
- (b) Where the lot contains at least 2.0 times and no more than 2.5 times the required minimum lot area, but cannot accommodate two Minimum Rectangles of the size specified by Section 4.6, the lot may nonetheless be divided (if otherwise permissible) provided each of the resultant lots contains a rectangle with at least 75% of the specified rectangle width and at least 60% of the specified rectangle area, and each principal building is contained within one of said rectangles. (In R-2 Zone, for example, such rectangle must be 150 feet by 200 feet in dimension.)

*February 1, 1986.

Article IV

Zoning Districts

4.1 District Established

The Town of Redding is hereby divided into the following zoning districts ("zones"):

R-4 Conservation Residential Zone

Intent of zone: To provide for conservation of those fragile natural resource areas in which any form of development, except widely-spaced dwellings, would tend to be detrimental to public health or safety. This district includes land which is predominantly steep slopes, shallow and poorly drained soils, wetlands and floodplains, public water supply reservoirs and tributary streams, significant aquifers, wildlife refuges and special historic, cultural, recreational, agricultural, greenbelt and conservation areas as may be recommended by the Planning or the Conservation Commissions.

R-2 Rural Residential Zone

Intent of zone: To provide a rural residential environment in which desirable living qualities, safe water supply and sewage disposal, flood control, emergency services and other public needs are carefully balanced with conservation of natural resources and protection of public water supply watershed.

R-1 Low Density Residential Zone

Intent of zone: To provide a moderately spacious residential environment within the natural capacity of the land to sustain safe water supply, sewage disposal, flood control and other public needs.

R-1/2 Suburban Residential Zone

Intent of zone: To provide an attractive residential environment at locations convenient to shopping, employment and other services, within the capacity of the land to sustain adequate water supply and sewage disposal for each lot and dwelling.

RV Village Residential Zone

Intent of zone: To provide residential neighborhoods within walking distance of shopping, employment, public transportation and other facilities, serving the needs of those who require homes other than detached single family dwellings, at locations in which coordinated water supply, sewage disposal and other necessary services can be efficiently provided.

ZONING DISTRICTS

4.1 Districts Established - continued

PRV Planned Residential Village Zone

Intent of Zone: To encourage the adaptive reuse of an historic industrial site; to preserve open space; and to provide for a variety of housing alternatives and residential neighborhoods within walking distance of shopping, employment, public transportation and other facilities, serving the needs of those who require homes other than detached single family dwellings in locations where water supply, sewage disposal and other necessary services can be efficiently provided.

SDD Special Development District

Intent of Zone: To permit and encourage variety and flexibility in residential land development through the modification of regular standards applicable to the permitted uses of land within a zoning district, providing that the uses within the Special Development District be in harmony with the objectives and policies of the Plan of Development.

NB Neighborhood Business Zone

Intent of zone: To provide for small scale retail centers which will furnish convenience goods and services essential to the daily life of the local neighborhood or community, and will blend harmoniously with the residential and natural environment of their surroundings.

SB Service Business Zone

Intent of zone: To provide areas for those commercial services and bulky goods needed by a residential community, which require extensive individual sites, limited however to uses compatible with the surrounding natural and residential environment; and to regulate developement and access along Route 7 commensurate with this arterial road's traffic capacity, safety, and speed.*

BC Business Center Zone

Intent of zone: To provide a comprehensive business center for retail trade and services needed by the community at large, limited to uses which are compatible with the natural and residential environment of the community.

OR Office and Research Park Zone

Intent of zone: To provide an appropriate setting for quiet office, research and controlled light assembly facilities which will be in harmony with the low-density residential character of the community, will protect the tranquility and values of nearby residential areas, and continues

ZONING DISTRICTS

- 4.1 Districts Established - continued
will be developed in campus-type sites which fully preserve the natural beauty and environmental integrity of their surroundings.

HVC Historic Village Center Zone

Intent of zone: To encourage the conversion and adaptive reuse of historic industrial sites in order to maintain historic architectural quality; to provide a variety of housing opportunities not found elsewhere in Redding; and to allow for the creation of a civic, public, retail, and/or office uses within the center of Georgetown.

The location and extent of each zoning district is described in the adopted Zoning Map which accompanies these Regulations.

4.2 Residential Zones

Within Residential Zones (R-4, R-2, R-1, R-1/2, RV, PRV), buildings, structures and land shall be used only as permitted in Sections 4.2.1, 4.2.2 and 4.2.3.

4.2.1 - Permitted Principal Uses

Any of the following:

- (a) A detached single-family dwelling, one per lot.
- (b) Public and private open space reservations, where maintained in a natural condition without buildings or activity areas.
- (c) Farming, forestry and horticulture, as provided by Section 5.14.

4.2.2 - Permitted Accessory Uses

Where clearly subordinate to a permitted principal use on the same site, and as regulated by Section 3.7, one or more of the following:

- (a) Customary home occupations conducted on the premises by the residents of the premises.*
- (b) The professional office of a physician, dentist, architect, engineer, attorney, consultant, realtor, or other member of a recognized profession, resident on the premises.*
- (c) The studio of an artist, craftsman, designer, musician, photographer, scientist, or writer, resident on the premises.*

* Special limitations apply. See Sections 5.10 (Home Enterprises), and 8.1.39 and 8.1.176 (Definitions).

ZONING DISTRICTS

4.2 Residential Zones

4.2.2 - Permitted Accessory Uses - continued

- (d) Storage garage and workshop for a self-employed member of a recognized trade, such as builder, carpenter, electrician, cabinet maker, mason, plumber, radio technician, salesman or surveyor, resident on the premises, provided there shall be no mass production of goods and no outdoor storage of commercial vehicles or equipment.*
- (e) Detached accessory buildings and structures clearly incidental to the residential use of the principal dwelling, such as vehicle garages, tool sheds, garden houses, animal barns, greenhouses, cabanas, children's playhouses, and the like.
- (f) Recreational facilities limited to use by residents of the premises and their invited guests, including swimming pools, tennis courts and other sporting facilities, but excluding vehicle racing and outdoor firearm ranges.
- (g) On-site parking for passenger automobiles owned and in regular off-premises use by the residents thereof, and as necessary for transitory parking by permitted clients, employees, visitors and deliveries, as regulated by Section 5.6.
- (h) On-site storage for recreational vehicles owned and in regular or seasonal use by residents of the premises, as regulated by Section 3.8.
- (i) Seasonal display and sale of farm, garden and nursery produce, where raised entirely on the premises by the residents thereof, as regulated by Section 5.14.
- (j) A temporary tag sale or auction, as regulated by Section 5.11.
- (k) Signs, as regulated by Section 5.9.
- (l) Necessary utility fixtures, including dish antenna as regulated in Section 5.16.

* Special limitations apply. See Sections 5.10 (Home Enterprises), and 8.1.39 and 8.1.176 (Definitions).

ZONING DISTRICTS

4.2 Residential Zones

4.2.3 - Permitted Special Uses

Subject to a Special Permit granted by the Commission, in accordance with Section 5.1, the following uses may be authorized:

- (a) Public schools and private schools, as defined herein (Sections 8.1.174, 8.1.178), including customary accessory buildings and facilities such as gymnasiums, auditoriums, libraries, laboratories, chapels, dormitories, faculty residences, playgrounds, stadiums and playfields.
- (b) Churches and other places of worship, including accessory parish house, classroom, convent and rectory facilities, where serving a congregation primarily resident in the local community.
- (c) Public parks and recreation facilities, including all parks developed for active recreational uses.
- (d) Town governmental and public safety facilities, including Town Hall, municipal offices and meeting rooms, Town sponsored civic and social centers, public fire houses, police stations, municipal garages, refuge collection centers and utility buildings.
- (e) Special residential complex (public housing) owned and operated by the Town of Redding, provided located on a minimum site of 10 acres, subject to compliance with all standards and requirements of Section 5.13.
- (f) Public libraries, museums, nature centers, art galleries, playhouses and similar institutions serving a community cultural need.
- (g) Public utility and public service facilities essential to serve the local community, including telephone exchange, U.S. Post Office, electric substation, pumping stations, water standpipes, electric transmission lines, and similar facilities.

continues

ZONING DISTRICTS

4.2 Residential Zones

4.2.3 - Permitted Special Uses - continued

- (h) Private social and recreational clubs, including archery, ballfield, tennis, swimming and similar outdoor recreation facilities, but not including firearms and motor vehicle racing activities, provided each is conducted as a membership club and utilized site area does not exceed 50% of total site area.
- (i) Golf clubs, equestrian clubs, and country clubs, limited to members and guests only, provided located on a site of at least twenty-five (25) acres.
- (j) Livery stables, riding academies, livestock farms, and forest sawmills, subject to the provisions of Section 5.14.
- (k) Retail sale and processing of farm and forest produce, in excess of limits allowed an accessory use (see Section 4.2.2i), subject to Section 5.14.4.
- (l) Cemeteries, excluding mausoleums and crematoriums, provided located on a site of at least five (5) acres.
- (m) Recreational camps, arboretums, and conservation training centers, in which the natural character of the land is substantially preserved, provided located on a site of at least twenty-five (25) acres.
- (n) An accessory residential apartment, subordinate to a single-family dwelling, subject to the limitations of Section 5.12.
- (o) Within RV Residential Zone only, residential apartments, townhouses or condominiums not exceeding a density of one residential unit per 8,000 square feet of site area, subject to the limitations of Section 5.13.
- (p) A public fair, conducted by a local civic organization for a brief duration, subject to the limitations of Section 5.11.

continues

ZONING DISTRICTS

4.2 Residential Zones

4.2.3 - Permitted Special Uses - continued

- (q) A roadside passenger shelter, located at a scheduled school bus stop, commuter parking facility or other mass transit loading point (see Definitions, Section 8.1.166).
- (r) Wind energy conversion system, subject to the limitations of Section 5.15.
- (s) Within PRV Residential Zone only: a designed residential community.
- (t) Within the R-4, R-2, R-1, PRV, and HVC Zones; Bed and Breakfast establishments subject to the provisions of Section 5.18. [Amendment adopted February 1996.]
- (u) A wireless telecommunication facility, as defined in Section 8.1.289 limited to personal wireless service facilities and two-way radio communications systems which link fire, police, E-911, and other emergency response or essential public services of the Town of Redding or State of Connecticut, subject to standards and requirements of Section 5.19. [Amendment adopted June 1998]

4.2.4 - Development Standards

The requirements of these Regulations for the various Residential Zones, governing lot area, lot shape and frontage, building setbacks, structure height and coverage, and other dimensional standards, are set forth in Section 4.6.

4.2.5 - Other Regulations and Requirements

Refer to Articles III and V.

4.2.6 - Special Regulations Governing PRV Zone

Within the Planned Residential Village (PRV) Zone, a designed residential community may be authorized by Special Permits approved by the Zoning Commission in accordance with Sections 5.1, 5.2, and the following special provisions:

- (a) Minimum project area shall be an aggregate ownership area within PRV Zone of not less than twenty-five (25) acres.
- (b) Uses shall be limited to single-family and multiple-family dwellings including apartments, townhouses, condominiums, or special elderly housing when designed as an integral part of a comprehensive plan approved by the Commission. Accessory uses, if any, shall be limited to those specifically approved in the terms and conditions of the Special Permit. Buildings in existence on the effective date of these amended Regulations (May 1, 1990), may continue in light industrial use without change in their character or intensity of

-continues-

ZONING DISTRICTS

4.2 Residential Zones

4.2.6 - Special Regulations Governing PRV Zone - continued

- (b) pre-existing use, but shall cease as a legal non-conforming use(s) whenever a site plan for a designed residential development is approved for the same site pursuant to Section 5.1.2 (b).
- (c) Standards specified in Section 4.6 for minimum rectangle, minimum lot frontage, and minimum building setback with respect to front, side and rear yards, need not apply to a designed residential community approved under this Section.
- (d) Site development area shall include all of the applicant's ownership area within PRV Zone except land within designated floodways and public right-of-way. Maximum residential densities within a designed residential community shall be as follows:
 - 1. Five (5) dwelling units per acre of site development area within the PRV Zone; or
 - 2. Eight (8) dwelling units per acre of original PRV site development area, where
 - i) all watercourses and land within the designated floodway, and
 - ii) other land within the site development area, in an amount and location acceptable to the Commission,is permanently preserved as open space accessible to the public for park and recreation purposes. The form of ownership and the legal form assuring preservation of, and the method of public access to the open space shall be approved by the Commission; or
 - 3. Ten (10) dwelling units per acre of original PRV site development area, where the open space dedication described in subsection 2 above is made and at least ten percent (10%) of total dwelling units are designed and permanently reserved to serve the needs of the Elderly or families in need of Affordable Housing (see Definitions, Section 8.1).
- (e) In addition to the findings required by Section 5.1.3, the Commission shall find, in granting any special permit under this Section, that the
continues

ZONING DISTRICTS

4.2 Residential Zones

4.2.6 - Special Regulations Governing PRV Zone - continued

- (e) designed residential community fully satisfies the special design criteria of Section 5.2.9, provides for preservation of significant Historic Buildings and/or Historic Structures in the project area, protects the tranquility and character of adjacent residential neighborhoods, serves a community need, and is in general harmony with the intent of the PRV zone.

4.2.7 - Special Development District

On application by all owner(s) of affected property in the NB, BC, or OR zones, or of a particular site recommended for such designation on the Town Plan of Development as adopted by the Redding Planning Commission, the Zoning Commission may establish a Special Development District (SDD) in accordance with the following specifications and standards:

- (a) Application shall be for amendment to the Zoning Map, as provided in Section 7.1, and be accompanied by perimeter survey, certified Class A-2, which accurately identifies the proposed SDD boundaries and the names and addresses of all included and abutting property owners.
- (b) The property area subject to the change to SDD shall not be less than fifty (50) acres of contiguous land.
- (c) The application shall be accompanied by a site plan or plans which fully conform with the requirements of Section 5.2.1 through 5.2.8 inclusive, and Section 5.2.9 a,c,d,e,f, and g. In addition, a written report shall be submitted describing the precise uses of the land, buildings or other structures, and the minimum bulk, minimum area, proposed affordable housing and open space, and location standards applicable to the SDD.
- (d) Permitted principal uses shall be limited to one of the following:
 - 1. Retirement-village residential community, deed-restricted to residents fifty (50) years of age and older.

continues

ZONING DISTRICTS

4.2 Residential Zones

4.2.7 - Special Development District - continued

- (d) 2. Life-care residential community, including a range of housing types and a nursing-care facility to serve the needs of the elderly and infirm.
- (e) Permitted accessory uses shall be as determined appropriate by the Commission for each application.
- (f) Each application shall be judged by the Commission on its merits, as a change of zone application, in serving a community need and for compatibility with the Statement of Purpose of these Regulations. On adoption by the Commission, the particular regulations for each SDD, including its approved site plan(s), shall supplant and replace the previous zoning classification of the SDD area. All other requirements of these Regulations shall remain in full force.

4.3 Business Zones

Within the respective Business Zones (NB, SB, BC), use of buildings, structures and land shall be only for the permitted uses cited in each Zone. All new and enlarged uses shall require a site plan approved by the Zoning Commission, as provided by Section 5.2.

4.3.1 - Neighborhood Business (NB) Zone

(a) Permitted Principal Uses:

-Stores and shops for the conduct of retail trade in customary household, personal and convenience goods, including: food, apparel, stationary, prescription drugs, flowers, bakery products, hardware, home furnishings, garden supplies, books and periodicals, toiletries, art and artist supplies, cameras, jewelry, antiques, candy and tobacco, shoes, gifts, textiles, furniture, decorating supplies, plants leathergoods, sporting goods, records and musical instruments, radio and television, household appliances, automotive parts, packaged liquor, health supplies, toys, paper goods, china, glassware, clocks, and other light retail merchandise as approved by the Commission.

continues

ZONING DISTRICTS

4.3 Business Zones

4.3.1 - Neighborhood Business (NB) Zone

(a) Permitted Principal Uses: - continued

- Personal services customarily provided directly on the premises, including: bank, barber shop, beauty shop, tailor, photographer, appliance repair, laundromat, optician, travel agency, custom photocopy, small equipment rental, retail bakery, (including pizza and salad), food caterer, pharmacy, service agency, specialized schools, secretarial services, and other light convenience services as approved by the Commission.
- Full-service restaurant in which interior seating accommodations are provided for all customers served.
- Laundry and dry cleaning outlet, provided there shall be no processing of apparel on the site.
- Business and professional offices.
- Passenger terminals, taxi and limousine depots.
- U.S. Post Office.
- Public parks and open space.

(b) Permitted Accessory Uses:

- Off-street parking and loading, as provided by Section 5.6.
 - Signs, as provided by Section 5.9.
 - Satellite dish antenna, as provided by Section 5.16.
 - Fully enclosed or screened outdoor storage and utilities, wherever determined necessary by the Commission for reasons of safety. The exterior display of merchandise for sale is prohibited, except as shown on the site plan approved by the Commission.
 - One or more residential apartments, where clearly subordinate to a permitted business use on the same site and specifically approved by the Commission
- continues

ZONING DISTRICTS

4.3 Business Zones

4.3.1 - Neighborhood Business (NB) Zone - continued

(b) Permitted Accessory Uses - continued:

as part of the requisite site plan. The total floor area of such apartments shall not exceed 30% of the developed floor area on the same site. Each apartment unit shall be limited to a single bedroom and a maximum floor area of one thousand (1000) square feet, and shall be provided with its own separate entrance and two (2) parking spaces.

(c) Permitted Special Uses

As permitted in Residential Zones, Section 4.2.3, Subsections (a), (b), (d), (f), (g), (p), (q), and (u).

(d) Excluded Uses

Uses permitted in other zones, but not expressly included in the permissions cited above, are prohibited in the NB Zone.

4.3.2 - Service Business (SB) Zone

(a) Permitted Principal Uses:

- Restaurant, theater, motel, hotel, inn.
- Recreation facilities (indoor or outdoor), including: tennis, handball, squash, racquet ball, ice skating, swimming, golf, and similar recreation facilities as approved by the Commission; excluding, however, amusement parks.
- Animal hospital under veterinary supervision, provided there shall be no animals kept outdoors at any time.
- Convenience stores for the conduct of retail trade in customary goods including: food, apparel, stationary, flowers, bakery products, hardware, home furnishings, garden supplies, books and periodicals, toiletries, cameras, jewelry, antiques, plants, leather goods, sporting goods, records, musical instruments, automotive parts, packaged liquor, health supplies, toys, paper goods, china, glassware, clocks, and other light retail merchandise as approved by the Commission.
- Personal services customarily provided directly on the premises including barber shop or beauty shop. [adopted 9/96.]
- Retail bakery, including pizza and salad. [adopted 9/96].
- A wireless telecommunication facility, as defined in Section 8.1.289, limited to personal wireless service facilities and two-way radio communication systems which link fire, police, E911, and other emergency response or essential public services of the Town of Redding or State of Connecticut, subject to the standards and requirements of Section 5.19. [adopted 6/98].

-continues-

ZONING DISTRICTS

4.3 Business Zones

4.3.2 - Service Business (SB) Zone

(a) Permitted Principal Uses:- continued

- Farm and garden centers, including sales of plants, hay, feed, grain, fertilizer, fencing, animal accessories, farm tools, supplies and equipment, and sales and repair of tractors, lawnmowers and agricultural implements.
- Motor vehicle sales, service, rental and repair, including retail sales of motor fuel, lubricants and parts, car wash with no discharge of water into septic systems or to the earth, all water to be contained by a 100% recovery system, excluding auto body shops, motor vehicle junk-yards, (except necessary cleaning and repair incidental to vehicle sales or service); subject to special precautions to insure against the discharge of environmental pollutants in accordance with Section 5.3.
- Repair garage and storage facilities for school buses, transit vehicles and highway maintenance vehicles where the foregoing directly serve the local community, subject to compliance with Section 5.3.
- Building materials storage and sales, including lumber, hardware, mason supplies, household fixtures and equipment, excluding processing and bulk sales of unpackaged commodities such as sand, gravel, asphalt and concrete.
- Newspaper publishing and job printing, parcel distribution service, local distribution warehouse for non-hazardous finished consumer products, utility facilities and service yards for construction contractors, subject to special precautions to insure against discharge of environmental pollutants in accordance with Section 5.3.
- Public utility facilities needed to serve the local community, such as electric substations, sewage treatment plants, flood control works, water supply standpipes, water filtration plants, utility garages and the like.

continues

ZONING DISTRICTS

4.3 Business Zones

4.3.2 - Service Business (SB) Zone

(a) Permitted Principal Uses:- continued

- Subject to special precautions in accordance with Section 5.3.2, bulk storage and distribution of domestic heating oil, coal, and wood; excluding industrial oils, natural or manufactured gas and other fuels.
- Subject to Commission approval of each proposed use in accordance with the findings specified in Section 4.5.1 d, light fabrication, assembly, packaging and storage of goods finished for consumer distribution, provided such goods are of hand-portable size or are products of highly skilled craftsmanship.
- Business and professional offices, including rental space, limited to 25% of total building floor area on each site.

(b) Permitted Accessory Uses:

- As permitted in Neighborhood Business (NB) Zone, Section 4.3.1 (b).
- Electronic games, not more than four (4) per establishment.
- Storage and sale of natural and manufactured gas, with on-site storage capacity not to exceed 1000 gallons and subject to Special Permit precautions, in accordance with Section 5.3.2.

(c) Excluded Uses:

- Uses permitted in other Zones, but not expressly included in the permissions cited above, are prohibited in SB Zone.

Special limitation on access spacing along the frontage of Route 7 apply; refer to Section 5.6.11.*

ZONING DISTRICTS

4.3 Business Zones

4.3.3 - Business Center (BC) Zone

(a) Permitted Principal Uses:

- As permitted in Neighborhood Business (NB) and in Service Business (SB) Zones, Sections 4.3.1(a) and 4.3.2(a) respectively; excluding, however, any fabrication, assembly or packaging of goods (permitted in Section 4.3.2(a) for SB Zone).
- Institutional and public service facilities, including public school, private school, fire house, police station, library, museum, church or place of worship, community or cultural center, day-care facility, public agency, hospital, medical or dental clinic, nursing home, convalescent hospital.
- Funeral home.
- Private club, civic or fraternal organization.

(b) Permitted Accessory Uses:

- As permitted in Neighborhood Business (NB) Zone, Section 4.3.1(b).

(c) Excluded Uses:

- Uses permitted in other Zones, but not expressly included in the permissions cited above, are prohibited in BC Zone.

4.3.4 - Development Standards

The requirements of these Regulations, for the various Business Zones, governing lot area, dimensions, frontage, setbacks, height and coverage, are set forth in Section 4.6 hereof.

4.3.5 - Other Regulations and Requirements

Refer to Articles III and V.

ZONING DISTRICTS

4.4 Office and Research Park (OR) Zone

Within the Office and Research Park Zone, buildings, structures and land shall be used only as provided in this Section. Each use, because of its unique characteristics, shall be considered an individual case and shall require a site plan approval by the Zoning Commission in accordance with Section 5.2. No approval shall be granted by the Commission until it is satisfied that nearby residential values are securely protected and that the standards of this Section and of Sections 5.2 and 5.3 are fully met.

4.4.1 - Permitted Principal Uses

Any combination of the following is permitted provided the maximum number of employees, per shift, shall be one employee for each three-hundred fifty (350) square feet of gross building floor area as determined by the Commission:

- (a) Executive, corporate and administrative offices.
- (b) Data processing, financial and statistical research centers.
- (c) Laboratories and research facilities for technology, design, and prototype only product development.
- (d) Scientific, cultural and technical institutes, libraries, research and consulting services.
- (e) Communications-media centers, including editorial, writing, graphic arts, advertising and broadcasting activities; but excluding volume printing and engraving.
- (f) A wireless telecommunication facility, as defined in Section 8.1.289, limited to personal wireless service facilities and two-way radio communication systems which link fire, police, E-911, and other emergency response or essential public services of the Town of Redding or State of Connecticut, subject to the standard and requirements of Section 5.19. [Amendment adopted June 1998].

4.4.2 - Permitted Accessory Uses

Where clearly subordinate to a permitted principal use of uses, and as regulated by Section 3.7, any one or more of the following:

- (a) Necessary parking and access roadways, subject to Section 5.6.

-continues-

ZONING DISTRICTS

4.4 Office and Research Park (OR) Zone

4.4.2 - Permitted Accessory Uses - continued

- (b) Necessary utilities, including water storage tanks, sewage treatment facilities, electric substations and transformers, pump stations, and similar essential facilities.
- (c) Signs, subject to Section 5.9.
- (d) Grounds maintenance buildings, including vehicle garages, indoor equipment storage and not more than one residential apartment for a resident caretaker or security officer.
- (e) Museums, libraries or cultural centers, where maintained as a public service for public information, such as technology demonstration exhibits and facility tour centers.
- (f) Employee recreation centers, including tennis, golf, swimming and other quiet, non-motorized recreational activities.
- (g) Wildlife and conservation areas, horticultural and agricultural activities within the limitations of Section 5.14.
- (h) Satellite dish antenna, as provided by Section 5.16.

4.4.3 - Development and Performance Standards

The requirements of these Regulations, governing lot area, shape, dimensions, frontage, setbacks, paved coverage, and height and coverage of structures, are set forth in Section 4.6 hereof. Particular reference should be made to Sections 5.2 through 5.7 for applicable performance standards.

4.4.4 - Other Regulations and Requirements

Refer to Articles III and V.

ZONING DISTRICTS

4.5 Historic Village Center (HVC) Zone

Within the Historic Village Center Zone, Historic Buildings and/or Historic Structures shall be preserved and may be adapted to new uses in accordance with the standards which follow.

Because of the unique characteristics of the HVC area, each use of land, of a building or of a structure shall require a site and architectural plan approved by the Commission as provided in Section 5.2.

4.5.1 - Permitted Principal Uses

Permitted principal uses shall be the same as those permitted in Neighborhood Business (NB) Zone (see Section 4.3.1(a)).

4.5.2 - Permitted Accessory Uses

Permitted accessory uses shall be:

- (a) Off-street parking and loading, as provided in Section 5.6.
- (b) Signs, as approved in Section 5.9.

4.5.3 - Permitted Special Uses

Subject to the limitations of a special permit approved by the Commission in accordance with Sections 5.1, 5.2 and the standards of this section, a designed multiple-use village may be authorized for one or more of the following uses:

- (a) Retail, office, and other uses provided in Section 4.5.1 above.
- (b) Civic, public, institutional, and utility uses as generally provided in Section 4.2.3, subsections a, b, c, d, f, g, h, p, and q.
- (c) Corporate office and research facilities, as generally provided in Section 4.4.1, subsections a through e inclusive.

continues

ZONING DISTRICTS

4.5 Historic Village Center (HVC) Zone

4.5.3 - Permitted Special Uses - continued

- (d) Multiple-family residential, including apartments, condominiums, townhouses, or special elderly housing subject to the density restrictions listed below. Site development area shall include all of the applicant's ownership area within the HVC Zone except land within designated floodways or public right-of-ways.
 - 1. Five (5) dwelling units per acre of site development area within the HVC Zone.
 - 2. Eight (8) dwelling units per acre of site development area within the HVC Zone, provided historic buildings and/or historic structures within the HVC project area are restored, with appropriate adaptations for permitted use, in accordance with an historic building preservation plan approved by the Commission: or
 - 3. Ten (10) dwelling units per acre of site development area within the HVC Zone, provided restoration of historic buildings and/or historic structures are made as described in subsection 2. above, and at least ten percent (10%) of the total dwelling units are designed and permanently reserved to serve the needs of the elderly or families in need of Affordable Housing (see Definitions, Section 8.1).
- (e) A wireless telecommunication facility, as defined in Section 8.1.289, limited to personal wireless service facilities and two-way radio communication systems which link fire, police, E-911, and other emergency response or essential public services of the Town of Redding or State of Connecticut, subject to the standards and requirements of Section 5.19. [Amendment adopted June 1998.]

4.5.4 - Special Standards for Permitted Special Uses

The building setback requirements specified by Section 4.6 for HVC Zone may be waived by the Commission where it finds such to be necessary to assure preservation of Historic Buildings and/or structures, as generally provided for in Section 5.8.3.

The Commission shall find, in granting any Special Permit under this Section, that the multiple-use village fully satisfies the special design criteria of Section 5.2.9, provides for preservation of significant historic structures in the project area, serves the community need, and is in general harmony with the intent of the HVC Zone.

4.6 Schedule of Requirements

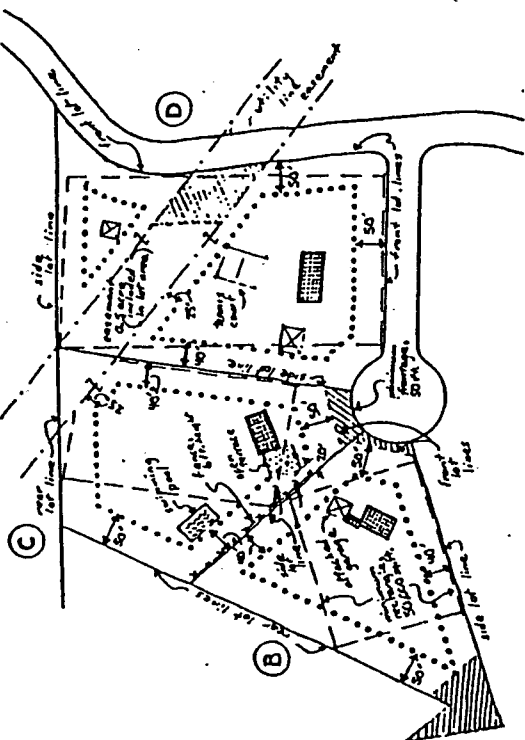
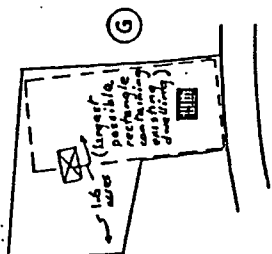
REQUIREMENT (see notes below)	ZONE DESIGNATION								
	R-4	R-2	R-1	R-1/2	RV	NB	SB	BC	OR
1. Minimum Lot Area (acres)	4	2	1	1/2	nr	nr	1	nr	10
(square feet)	174,240	87,120	43,560	21,780	nr	nr	43,560	nr	435,600
2. Minimum Rectangle Area (in square feet)	90,000	50,000	30,000	15,000	6,000	nr	20,000	nr	200,000
3. Minimum Lot and Rectangle Width (in feet)	300	200	150	100	60	nr	100	nr	400
4. Minimum Lot Frontage	50	50	50	50	40	100	100	50	300
(a) Front Lot						rear lots are not permitted in these zones			
(b) Rear Lot	25	25	25	25	25				
5. Minimum Building Setbacks									
(a) Front Yard in feet	60	50	50	40	25	25	50	10	100
(b) Side Yard in feet	50	40	25	15	15	15	25	nr	50
(c) Rear Yard in feet	60	50	40	30	30	25	25	25	100
(d) Utility Easement in feet	25	25	25	20	15	15	15	nr	25
(e) Boundary of Residential Zone in feet	not applicable for the residential zones					50	100	50	150
6. Maximum Building Height in feet	35	35	35	35	35	35	35	35	40
Maximum Building Coverage in % of lot	5%	10%	15%	20%	25%	25%	25%	35%	15%
7. Minimum Inner Court in feet	50	50	40	20	30	25	25	15	50
8. Minimum Parking Setback, nonresidential uses									
(a) Front lot line in feet	50	50	50	25	25	15	15	6	50
(b) Side and Rear lot lines in feet	100	100	100	15	15	10	10	nr	15
9. Maximum Impervious Area in % of site	10%	20%	25%	30%	35%	75%	75%	90%	35%

NR: designates no specific requirement

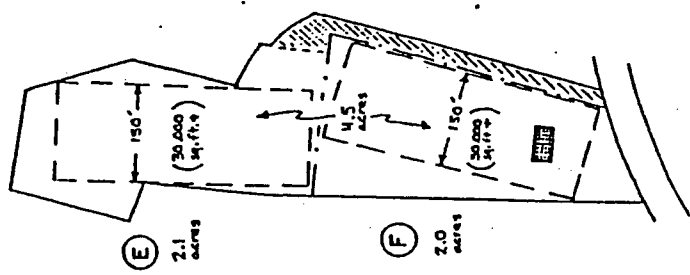
NR: designates no specific requirement

Notes on requirements, by number

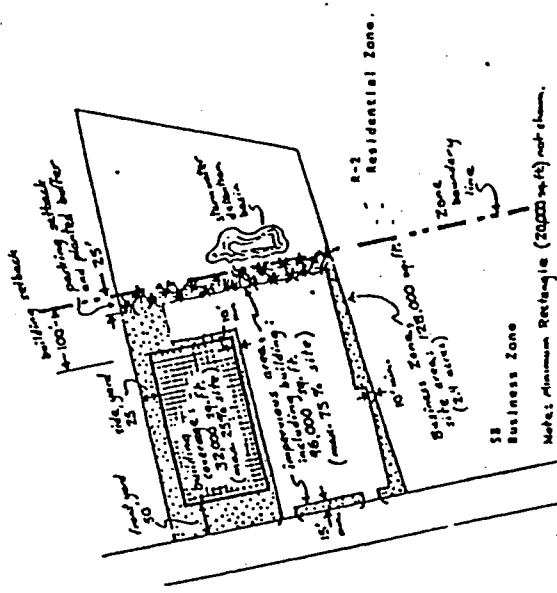
- Minimum lot area: refer to Section 4.2.3 (area requirements, special uses, 3.6 (lot standards), and 5.13 (Special Residential Complex))
- Minimum Rectangle Area: Refer to Sections 8.1.148 (definition), 3.6 (lot standards, required dwelling location), and 3.14 (exceptions).
- Minimum Lot and Rectangle Width: Refer to Section 8.1.138 (definitions) and Section 3.14 (exceptions).
- Minimum Lot Frontage: Required frontage must be continuous, but may extend along one or more roads. Refer to Section 8.1.133; also 8.1.78 and 8.1.185.
- Minimum Building Setback: Refer to Sections 8.1.221 (definition), also 3.10, 3.11, 5.1.4, 5.12 (apartments), 5.14.4 (farm structures); additional setbacks may be required.
- Maximum Structure/Building: Refer to Section 8.1.92 and 8.1.245 (definitions) and 3.12 (Height exceptions).
- Minimum Inner Court: No requirement for single family dwellings; see Section 3.10.
- Minimum Parking Setbacks: for residential requirements, see Section 5.6.4.
- Maximum Impervious Area: Refer to Section 8.1.105 (definition).

Residential Lot, Nonconforming

A-2 Residential Zone



Pre-existing lot,
divisible in 2 lots,
30,000 sq. ft
rectangles

Nonresidential Lot, Conforming

GRAPHIC EXPLANATION:

- Let lines and road lines
- Building setback lines and dimensions
- Required rectangle
- Land not counted toward minimum area
(narrow gorges, easements, wetlands over 25%)
- Principal building
(must be within required rectangle)
- Accessory building
- Watercourses and wetland

LOT AREAS (Acres):		A	B	C	D	E	F	G
Ownership Area		5.7	2.7	2.5	3.6	2.5	2.0	1.6
Not Countable		2.1	0.2	0.1	0.3	0.4	-	-
Lot Area		3.7	2.5	2.4	3.3	2.1	2.0	1.6

Article V

DEVELOPMENT STANDARDS

5.1 Permitted Special Uses

Special uses, as permitted within the respective zones, are unique in character and require that each application be considered on its individual merits. A use subject to Special Permit shall not be established, altered or enlarged until specific findings and approval have been made by the Zoning Commission under the following regulations.

5.1.1 - Special Permit Application

Application for a Special Permit shall be submitted to the Zoning Commission and shall consist of:*

- (a) Information form or letter of application, as prescribed by the Commission, describing the nature of the proposed use, all activities to be conducted on the site, expected public attendance, probable traffic generation and parking needs, number of employees, days and hours of operation, hazardous or waste materials to be stored or disseminated, any characteristics which might prove inimical to nearby residences (such as noise, light, atmospheric emissions), names and addresses of owners and principals responsible for managing the facilities, size of membership if a private organization; bearing the signature of the owners, principals and legal representatives (if any).
- (b) A complete site plan, as detailed in Section 5.2. The foremost objective in site development shall be protection of the natural and residential environment of the site, with emphasis on measures to control noise, light, traffic generation, parking visibility, erosion, water contamination and stormwater runoff as they relate to the surrounding area.
- (c) Application fee as prescribed by Commission.
- (d) The names and mailing addresses of current abutting landowners and other landowners within 500 feet.

(continues)

*Application content differs for a fair (Section 5.11), an accessory apartment (Sec. 5.12.2), and a farm use (Sec. 5.14.7), as explained therein.

DEVELOPMENT STANDARDS

5.1 Permitted Special Uses

5.1.1 - Special Permit Application - continued

- (e) Supplementary data and expert studies may be required of the applicant in any areas of concern related to protection of public health, safety, convenience and property values (such as traffic studies, drainage analyses, and environmental impact evaluations).

At least one mylar original and eight (8) copies of all required maps, plans, and reports shall be supplied to the Commission by the applicant.

* 5.1.2 - Procedure

Application materials may be submitted to the Zoning office or to a regularly scheduled meeting of the Commission. On determination that the required application is complete, the Commission will schedule a public hearing, publish hearing notices, and file a copy of the notice and application with the Town Clerk as directed by the General Statutes.*

The Commission shall send a copy of the public hearing notice, by certified mail postmarked no later than ten (10) days before the hearing, to each abutting property owner, and shall bill the applicant for actual postage and stenographic costs incurred in such mailing. The applicant shall have the right to inspect all cost receipts and invoices, and shall reimburse the Town in full for such costs at the public hearing.

One copy of the application, including all maps, plans and reports, shall be referred within ten days of receipt, by the Commission, to the following Town agencies with a request for an advisory report: Board of Selectmen, Conservation Commission, Health Department, Planning Commission. Referral shall also be made to the appropriate regional, state or federal agencies where their jurisdiction is involved, and the Commission may require the applicant to furnish additional copies of application materials to meet these requirements.

(continued)

* For prescribed application, notice, hearing, filing and procedural requirements, refer to Connecticut General Statutes sections 8-3, 8-3a through 8-3d inclusive, 8-7a, 8-7c, and 8-7d.

DEVELOPMENT STANDARDS

5.1 Permitted Special Uses

5.1.2 - Procedure - continued

Where the Commission approves or modifies and approves a Special Permit application, the applicant shall furnish at the applicant's own expense at least five (5) copies of all maps, plans and other documents suitably amended to state clearly the adopted conditions of approval. A performance bond, with necessary inspection and installation powers, may be required by the Commission where special construction conditions are mandated (see Section 5.2.8).

When the Commission has determined that the requisite conditions of approval for the Special Permit have been satisfied, it shall inscribe its approval on the essential documents and release two (2) copies to the applicant, one of which shall be filed in the Town land records by the applicant as provided by the Statutes.

For uses in the PRV and HVC Zones requiring a special permit, the applicant must first obtain a special permit for a master plan showing the proposed development for the entire site addressing all issues identified in Section 5.1.1. The master plan shall identify the individual phases of a project. The level of detail normally required for a site plan may be modified by permission of the Commission but shall be sufficiently detailed to permit the Commission to act on the special permit application in the same manner as specified by Section 5.1.

- (a) The master plan, prepared by a licensed engineer or landscape architect, shall be drawn to a convenient decimal scale no smaller than 1 inch equals 60 feet and shall be based on an A-2 survey of the existing condition of the property. The master plan shall show:
1. proposed uses, buildings and structures;
 2. type and extent of occupancy;
 3. pedestrian and vehicular circulation routes and parking;
 4. open space;
 5. preliminary location of drainage, sewage disposal and water supply systems;
 6. preliminary architecture including plans, elevations and perspective sketches;
 7. landscaping;
 8. zoning data schedule;
 9. such other information to permit the Commission to make the findings contained in Section 5.1.3.
- continues

DEVELOPMENT STANDARDS

5.1 Permitted Special Uses

5.1.2 - Procedure - continued

- (b) Within one year after receiving approval of a master plan special permit, a detailed site plan meeting the requirements of Section 5.2 shall be submitted to the Commission as a refinement of the master plan. The number of dwelling units, amount of floor area, coverage by building, impervious surface coverage and other significant land use and design elements shall be in conformance with the master plan special permit. If the detailed site plan is deemed to be different from the master plan, it shall not be approved before the special permit is amended pursuant to Section 5.1.6.

5.1.3 - Required Findings

Before granting any Special Permit application, the Commission shall determine:

- (a) The proposed use is consistent with the purposes of these Regulations (Article II).
- (b) The location of the site, and the location, nature, size and intensity of proposed buildings, structures, parking, uses and activities will be in harmony with adjacent areas, and will not impair the residential values or natural environment of the nearby area and of the community.
- (c) Parking areas, traffic access, water supply, sewage disposal, stormwater control, fire and police protection, and utility services will be adequate for all proposed uses.
- (d) Standards for environmental protection (see Section 5.3) will be fully met.
- (e) The specific layout and design of facilities, with any amendments to the site plan specified by the Commission, will meet requirements of these Regulations (see Section 5.2.4).
- (f) All other standards of these Regulations are satisfied.

DEVELOPMENT STANDARDS

5.1 Permitted Special Use - continued

5.1.4 - Residential Buffer

In addition to meeting all specified standards for the zone in which located (see Section 4.6), buildings, enclosed structures, Parking Facilities, and Satellite Parking Facilities serving nonresidential uses in R-4, R-2, and R-1 zones shall observe a minimum setback of one hundred (100) feet from the nearest lot line of any residential lot. The resultant open space shall be landscaped, buffer planted, or preserved in its natural state as needed for protection of the adjacent area.

[Bold type designates amendment of March 1999]

Where a particular use has been in continuous existence from before the effective date of these Regulations, however, and the Commission finds the lot is not large enough to allow compliance with this requirement, the Commission may reduce the required buffer to not less than the building setback specified by Section 4.6 provided highly effective screening is installed and maintained in the reduced buffer.

5.1.5 - Conditions of Approval

The Commission may modify a proposed site plan, or limit proposed uses and activities, or establish other conditions of approval necessary to protect the health, safety, convenience, property values or natural environment of the community in granting any Special Permit. Such conditions shall be binding on the applicant and incorporated in all filed plans.

5.1.6 - Amendments to Permitted Special Uses

Any use governed by an existing Special Permit may be amended by the Commission through the granting of a new Special Permit, in accordance with the requirements of Sections 5.1.1 through 5.1.5 above.

Where the Commission determines that a requested amendment to a Special Permit will be sufficiently minor that there will be no intensification or change in the nature of the use presently authorized, it may waive the requisite public hearing and grant any amendment not other wise in conflict with these Regulations.

DEVELOPMENT STANDARDS

5.1 Permitted Special Uses - continued 5.1.7 - Expiration

A Special Permit shall be deemed to authorize only the particular use or uses specified in the permit. The permission given shall expire one year from the date of filing in the Town land records if a Certificate of Zoning Compliance has not been granted for the specified uses by the Zoning Officer, or if the uses cease for any reason for a period of one year or longer.

Where the Commission determines that circumstances justify and substantial work has been completed on the project, however, it may grant one or more extensions totalling not more than twelve (12) months per extension, to forty-eight (48) months after original approval, for the purpose of completing work required by the approved site plan.

In the PRV and HVC Zones only, the Commission may grant a special permit for a use to be built in phases. In such instances, all site improvements for all phases shall be completed within a period established by the Commission commencing at the date of approval of the detailed site development plan for the first phase of work. This period shall be determined by the Commission as a part of the master plan special permit approval and shall not exceed ten years.

5.1.8 - Failure to Comply with Conditions of Approval

On advice from the Zoning Officer or other evidence that prescribed conditions of any approved Special Permit have not been faithfully observed, the Commission shall immediately direct a certified letter to the responsible parties, ordering that compliance be made with the violated conditions by a specified reasonable date. At the same time the Commission may schedule a public hearing to consider additional evidence and appropriate remedies. Should the Commission find that the cited violations continue after the time specified for correction, or after any extension granted by the Commission, the Special Permit shall become null and void and the principals shall be subject to the penalties prescribed for violation of these Regulations by the General Statutes.

DEVELOPMENT STANDARDS

5.2 Site Plans, Nonresidential Uses

Within the nonresidential zones (NB, SB, BC, OR, PRV and HVC), and where required by Section 5.1, there shall be no issuance of a zoning permit, or construction, alteration, or enlargement of a building, a structure or a paved area, except in accordance with a site plan approved by the Redding Zoning Commission.

5.2.1 - Site Plan Application

Application shall consist of a proposed site plan (as described in 5.2.2), application form and fee as may be prescribed from time to time by the Commission, and supplemental documentation (as described in Section 5.2.3). Submitted plans and documentation shall include nine (9) whiteprint copies of each plan and supporting document.

5.2.2 - Specifications for Site Plan

The site plan shall be prepared from a detailed survey of the property, certified Class A-2, and shall bear the Connecticut registration seals of a surveyor and an engineer, architect or landscape architect. Plans shall be drawn to a convenient decimal scale no smaller than one inch equals 40 feet, and shall show scale, north arrow, date, location with respect to nearby roads, filed surveys by map number in Town land records, names and intersecting boundaries of abutting property owners, and the names and addresses of site owner(s), prospective developers and operators, and those responsible for preparing the plan. Data to be shown on the site plan shall include:

- Lot lines, lease lines, easements and rights-of-way.
 - Existing topography at five feet (5') intervals, or less, for the site and for adjacent land within one hundred feet, and proposed contours at two-foot intervals for all areas of disturbed terrain.
 - Significant existing natural features, including streams, ponds, swamps, regulated wetlands, rock outcrops, wooded areas and major trees (30 inches or greater in diameter), clearly identifying all areas and features to be preserved.
 - Existing and proposed buildings and structures, indicating exterior wall and eave lines, height and number of stories, floor elevations, and all entrances and exits.
- continues

DEVELOPMENT STANDARDS

5.2 Site Plans, Nonresidential Uses

5.2.2 - Specifications for Site Plan - continued

- Proposed use of each building, structure and site area, described in sufficient detail to establish compliance with use limitations of these Regulations.
- Existing and proposed roads, driveways, and parking areas, including all adjacent roadways, showing right of-way lines, curblines, pavement lines, sidewalks and pedestrian ways, traffic entrances and exits, parking spaces and access aisles, loading spaces, parking and traffic islands, fences and guard rails, retaining walls, traffic control markings and devices; showing relevant dimensions or details and the types of material composing each feature (see Section 5.6).
- Existing and proposed storm drainage, based on fifty-year-storm runoff calculations, showing necessary elevations, sizes and details of pipes, catch basins, manholes, culverts, detention and recharge basins, channels, dikes, dams and related features, and the lines of current and projected annual floods, and projected fifty and one-hundred-year floods (see Section 5.4).
- Proposed erosion and sediment control measures (see Section 5.4).
- Existing well and septic system locations, for the site and adjacent land within one hundred (100) feet, and proposed facilities on the site for adequate present and future water supply, fire protection and sewage disposal, including location and design capacity of septic and reserve areas certified by a professional engineer and approved by the Town Health Department.
- Existing and proposed utilities, including easements where needed, for electric, telephone, water, gas and sewer lines, solar collectors and heat pump systems, pad-mounted transformers, water standpipes, sewage holding tanks, fuel tanks, waste bins, mechanical equipment installations such as compressors and cooling towers, broadcast antennas, equipment storage areas and similar facilities.
- Existing and proposed site lighting and signs, with details of all light fixtures and signs, showing size, height, location and illumination intensity (see Section 5.3 and 5.9).

DEVELOPMENT STANDARDS

5.2 Site Plans, Nonresidential Uses

5.2.2 - Specifications for Site Plan - continued

- Existing and proposed landscaping, buffer screening, and site planning, in accordance with Section 5.7.
- Elevation drawings of proposed buildings and major structures, showing exterior architectural features such as doors, windows, utility equipment and character of facade materials.
- Approximate areas of the site reserved for future expansion (if any), including future parking and septic areas.

Supplementary plan sheets, detail drawings or schedules may be attached to the site plan where necessary for clarity in showing required data. A signature block indicating "Approved by Redding Zoning Commission" and "Date" shall be provided on each plan, together with a space for necessary notes and written conditions of approval.

5.2.3 - Review of Plans

The Commission shall review properly submitted site plans at any regular meeting, and approve, modify and approve, or disapprove same in accordance with the standards of Section 5.2.4 and the procedural requirements of the General Statutes.*

A public hearing shall be held by the Commission whenever the site plan application:

- (a) is part of a Special Permit application (see Section 5.1); or
- (b) proposes a completely new building or substantial change in site use; or
- (c) will result in a fifty percent (50%) or greater increase in developed site area or floor area of a building.

The Commission may elect to hold a public hearing in any other instance in which it deems circumstances warrant such action.

*Refer to Conn General Statutes, Sections 8-3 and 8-7d.

DEVELOPMENT STANDARDS

5.2 Site Plans, Nonresidential Uses

5.2.4 - Standards for Approval

Site plans shall comprise a layout and facilities designed to protect public health and safety, surrounding property values, and essential natural resources, specifically with respect to:

- (a) site size, building and structure placement (Sections 4.2 - 4.6 inclusive),
- (b) water supply and sewage disposal (Section 5.3),
- (c) environmental protection, including controls on hazardous discharges, noise, light, atmospheric emissions, and damage to sensitive natural areas (Section 5.3),
- (d) stormwater and erosion control (Section 5.4),
- (e) accessibility, traffic safety and circulation (Section 5.6),
- (f) parking, loading and pedestrian safety (Section 5.6),
- (g) development features and landscaping (Section 5.7),
- (h) signs and historic structures (Section 5.8, 5.9), and
- (i) all requirements of these Regulations, and other Town, State and Federal regulations where they apply.*

5.2.5 - Final Plan

The Commission shall approve, modify and approve, or disapprove the proposed site plan, as provided by the General Statutes (Section 8-3).

continues

* Refer in particular to Town of Redding Road Regulations, Subdivision Regulations, Inland Wetlands and Watercourses Regulations, State of Connecticut Health Code, Building Code, and Flood Encroachment Lines, and Federal Insurance Administration Flood Hazard mapping (all sources generally available at Town Offices).

DEVELOPMENT STANDARDS

5.2 Site Plans, Nonresidential Uses

5.2.5 - Final Plan - continued

Where the Commission's action requires modification or amendment of the site plan, it shall promptly advise the applicant of the required changes.

The final plan, on mylar or similar permanent translucent material, shall be submitted to the Commission within 60 days of its notice to the applicant concerning approval or modification and approval, and shall become a part of the Commission's permanent file.*

No permit shall be issued, and no construction activity or new use shall be commenced on any site requiring site plan approval until the final site plan, amended as required by the Commission's decision, has been endorsed with the Commission's approval, and copies have been released to the applicant and the Zoning Inspector.

5.2.6 - Expiration

A site plan approval granted by the Commission shall be deemed to take effect on the date the final plan receives the Commission's signature and date of approval, and to expire one year from said date if the project has not received a certificate of zoning compliance from the Zoning Inspector.

Where circumstances justify and substantial work has been completed on the project, the Commission may grant one or more extensions of the construction period, up to twelve (12) months per extension, totalling not more than forty-eight (48) additional months.**

5.2.7 - Enforcement

A determination by the Zoning Inspector that conditions or requirements of an approved site plan have been violated shall be grounds for immediate enforcement action pursuant to the General Statutes and Section 6.8 of these Regulations, unless such violations are promptly corrected.

* As built survey is also required; see Section 6.2.

** Refer to Section 5.1.7 for effective date and expiration of Special Permit.

DEVELOPMENT STANDARDS

5.2 Site Plans, Nonresidential Uses - continued

5.2.8 - Performance Bond

Where the Commission modifies and approves a proposed site plan, it may require that the applicant post with the Town a performance bond adequate in amount and particulars to assure the proper installation and seasoning of site work required by the modified approval, including such necessary facilities as roads, parking and loading, storm drainage and detention systems, water supply and sewage disposal, dams and retaining walls, site lighting and utilities, earth contouring and regrading, fences and walls, waste disposal areas and monitor wells, topsoiling and site planting, and erosion and sediment controls.

The bond shall be acceptable in form and surety to the Town, shall grant adequate inspection and installation rights to the Town, and shall additionally provide that in the event of default occurring after a specified completion deadline the Town shall be entitled to call the bond and use the proceeds thereof for completion of the project.

The bond may be secured in cash by an instrument assigning collectible funds to the Town, or by an obligation of a surety company acceptable to the Town. The amount of surety provided shall be based on estimated construction cost, plus estimated collection costs to Town in event of default, plus a fifteen percent (15%) contingency allowance.

The progress and condition of the required work will be reviewed by the Town at mutually pre-determined, specified stages of completion. When each stage is reached, if the Commission finds that the required work has been properly completed it may release a portion of the original surety equal to the per cent of estimated construction cost through the stage, excluding however, all collection and contingency allowances. All surety, which remains unreleased at the end of the project shall be held by the Town for one year, and may be called by the Town for use in restoring any work which deteriorates during that period, should the developer fail to properly restore same. Any unused balance of surety shall be released within thirty (30) days following the one-year contingency period.

DEVELOPMENT STANDARDS

5.2 Site Plans, Nonresidential Uses

5.2.9 Special Design Standards for PRV and HVC Zones

The following additional information shall be included as part of the application for a special permit or site plan in the PRV and HVC Zones in sufficient detail to enable the Commission to make the required findings:

- a. A traffic impact analysis and circulation plan, both vehicular and pedestrian, of the proposed development as set forth in Section 5.6 demonstrating:
 - (1.) the present level of service at major intersections will not be diminished;
 - (2.) impact on residential neighborhoods will be minimal; and
 - (3.) air quality attributable to vehicular emissions will be within the acceptable limits established by the Connecticut Department of Environmental Protection.
- b. Architectural floor plans, elevations and perspective sketches prepared by a licensed architect demonstrating:
 - (1.) existing Historic Buildings and/or Historic Structures are being preserved; and
 - (2.) the exterior design, scale, materials and building height reflect and complement the architectural quality and style of existing buildings in Georgetown.
- c. Landscape plans prepared by a licensed landscape architect pursuant to Section 5.7.
- d. Plans that demonstrate the availability of, and an agreement to provide to the site a water supply system, for both domestic use and fire protection, and a sanitary sewer system, to be completed in accordance with state and town specifications and regulations, both utilities sufficient to serve the proposed development. If such systems are to be

continues

DEVELOPMENT STANDARDS

5.2 Site Plans, Nonresidential Uses

5.2.9 Special Design Standards for PRV and HVC Zones - con't

privately owned and operated, the applicant shall also provide for their proper maintenance in accordance with their engineering design, to the satisfaction of the Board of Selectmen or such other board or commission having jurisdiction thereof.

- e. Plans for stormwater management as specified in Section 5.4.4, subsections (a) through (d) inclusive.
- f. Plans for the protection of persons and property from fire. The greater intensity of use, concentration of population, and closer proximity of buildings which may be allowed in HVC Zone requires that special provisions be made to secure safety from fire, as provided in the Connecticut General Statutes, Section 8-2, and Article II of these Regulations.
At a minimum such plans shall be based on advisory reports of the local Fire Marshal and/or the Town Building Official and shall:
 - 1. Provide automatic fire suppression capabilities (sprinkler systems) in all units of multiple-use buildings, in all two-family and multiple-family dwellings, and in all other non-residential buildings in excess of 1000 square feet floor area, in conformity with National Fire Protection Association (NFPA) Standards 13, 13D and 13R.
 - 2. Conform to NFPA Standard 'Fire Protection in Planned Building Groups, 1985 edition.'
- g. Plans for protection of persons and property from flood and other hazardous events.
- h. Other such plans and information that the Commission may request with respect to environmental protection including, without limitation, plans to remedy hazardous waste sites, aquifer recharge, flood control, and solid waste management.

DEVELOPMENT STANDARDS

5.3 Environmental Protection Standards

Every use and activity shall be conducted in such manner that it is clearly compatible with the health, safety, welfare and property values of the community.

The standards of Sections 5.3.1 through 5.3.9, following, establish maximum limits for certain potentially harmful activities. Within the prescribed permitted uses for each Zone, these standards will be used to determine the acceptability of particular uses at specific sites.

The following standards apply to all Zones and are intended to supplement relevant Federal, State and local codes as they apply to the Town of Redding. In event of conflict, the more stringent requirement shall apply.

5.3.1 - Deleterious Uses Prohibited

Any use which results in contamination of air, ground, water or the natural environment, beyond the specific limits prescribed below is prohibited.

Any use which is noxious by reason of emission odor, dust, gases, smoke, noise, vibration, light, radiation, or danger of explosion or other physical hazard is prohibited.

5.3.2 - Hazardous Substances

- (a) A hazardous substance is any material which would be potentially toxic to humans or living organisms if released to the environment in a significant quantity.*
- (b) Storage, handling, use, discharge and disposal of hazardous substances is prohibited in all Zones, except to the extent necessary to serve:

* Examples of hazardous substances include, but are not limited to the following: acids, asbestos, ammonia, chemical wastes, chlorides, cyanides, gasoline and hydrocarbons, heavy metals, herbicides, inks and dyes, nitrates, oil, paints and lacquers, pesticides, photographic solutions, phosphates, polychlorinated biphenyls, polychlorinated hydrocarbons, radioactive waste, resins, sewage sludge, solvents, sulfates, water-softener salts. For a more complete list, reference may be made to hazardous substances data available from U.S. Environmental Protection Agency.

DEVELOPMENT STANDARDS

5.3 Environmental Protection Standards

5.3.2 - Hazardous Substances - continued

- 1) conventional household or residential needs (such as home fuels, cleaners, pesticides, paints, fertilizers, etc.), where limited in quantity to the needs of each family residing on the site, and where storage and use conform to applicable codes;
 - 2) non-residential uses, as permitted under these regulations, where storage, use and disposal are in accordance with specifications drawn up by a qualified professional engineer and incorporated, with any amendments required by the Commission (see Section 5.2).
 - 3) agricultural and silvicultural activities permitted under these Regulations, where the use of non-degradable herbicides and pesticides adheres strictly to the State DEP standards as applied to Class AA watersheds.*
- (c) In no instance may the discharge of hazardous substances to air, ground, or water exceed the allowable limits established and administered by the State of Connecticut Department of Environmental Protection, by the State Health Code, and by any applicable Town code or ordinance.**
- (d) All storage and transfer of hazardous substances shall be in properly insulated and protected containers, or enclosures, designed to prevent discharges to ground or water and approved for safety and reliability by each Town official exercising jurisdiction, such as Building Inspector, Sanitarian, and Fire Marshall.

* Generally requires maintenance of Federal EPA standards for safe drinking water. Refer to CT Water Quality Standards and Criteria, prepared by the State of Connecticut Department of Environmental Protection, Water Compliance Unit, as amended (see in particular, Policy #11 and "Notes", Inland Waters, Class AA).

** Refer to State of CT Public Health Code, as amended.

DEVELOPMENT STANDARDS

5.3 Environmental Protection Standards

5.3.3 - Water Pollution

- (a) Water pollution consists of contaminating or degrading any surface water or groundwater, so that such water is rendered unsuitable for human consumption or substantially impaired in quality for domestic use beyond the immediate vicinity of any discharge.*
- (b) Uses and activities tending to create pollution of surface or ground waters are prohibited in all Zones. Direct discharge of pollutants to streams or watercourses is prohibited.
- (c) Systems for the storage, treatment or disposal of sewage and other wastes shall be in full compliance with adopted State of Connecticut Water Quality Standards and the requirements of the State Health Code.**
- (d) No hazardous substance (see Section 5.3.2) or other non-degradable waste shall be discharged to ground or water within 150 feet of any water supply well or surface stream (perennial or seasonal), nor within 50 feet of any regulated wetland or stratified drift aquifer, except as follows:
 - 1) road de-icing chemicals as necessary for safety, on State, Town and privately-maintained roads.
 - 2) essential agricultural fertilizers and pesticides, where applied in accordance with standards approved by the Town Health Department.
 - 3) sewage treatment or landfill facilities approved and regulated by the State Department of Environmental Protection.

Maps showing stratified drift aquifers and regulated wetlands are available for inspection at the Town Hall.

continues

* Refer to CT General Statutes, Sections 22a to 36 and 25 - 54a - xx. Under State law various pollution control responsibilities are delegated to local inland wetland and health agencies (in Redding, the Conservation Commission and the Health Dept.). Activities must comply with these standards as well.

** Refer to footnotes, previous page

DEVELOPMENT STANDARDS

5.3 Environmental Protection Standards

5.3.3 - Water Pollution - continued

- (e) Catch basins and other receptacles receiving storm water flow from paved roadways or parking lots shall be designed to trap and retain heavier-than-water sediments. The last catch basin or manhole receiving drainage on the site or road shall also trap and retain lighter-than-water emulsions and oils. All catch basins and manholes shall have clean-out features and shall be maintained regularly to prevent discharge of foreign materials to surface or ground water.*

5.3.4 - Atmospheric Pollution

- (a) The discharge of odors, gases, vapors, heat, smoke, dust, particulates or other waste materials to the atmosphere, in excess of the standards given below, or in such quantity as to be noxious or to create a risk of injury to health of persons on or off the premises is prohibited.
- (b) In reviewing the site plan for any nonresidential use, the Commission may require certification by a professional engineer that the proposed use will comply substantially with both emission and ambient air standards administered by the Connecticut Department of Environmental Protection.
- (c) Offensive odors shall not be allowed to emanate from the premises, nor exceed the odor threshold standards established by the "Air Pollution Abatement Manual", as published and revised by the Manufacturing Chemists Association, Inc., Washington D.C. (latest copyright edition), when measured at the exterior perimeter line of the source building or structure.
- (d) Smoke and other contaminants discharged to the atmosphere shall not exceed allowable emission standards established by the "Connecticut Regulations For Abatement of Air Pollution", as administered by the State Commissioner of Environmental Protection pursuant to State Statute (Title 22a-174).

continues

* Catch Basins on existing Town and State roads shall be exempt from this requirement.

DEVELOPMENT STANDARDS

5.3 Environmental Protection Standards

5.3.4 - Atmospheric Pollution - continued

- (e) Particulate matter, flying dust, soil, ash, soot and other air-borne debris shall be confined to the immediate locus of its origin through the use of stack precipitators, screens, windbreaks, water sprinklers, or other measures acceptable to the Zoning Officer. Wood-burning home heating systems, if properly maintained, shall be exempt from this requirement.
- (f) Heat emission, from mechanical or other man-made sources on site, shall not result in an increase in atmospheric temperature by more than two degrees (2°) Fahrenheit along any adjoining lot line.
- (g) Toxic gases and vapors, if discharged to the atmosphere from a stationary source, shall comply with applicable State of Connecticut ambient air standards at all points beyond 50 feet from the point of discharge.

5.3.5 - Noise and Vibration

- (a) Noise which consists of any sound, or air-transmitted vibration, which is offensive to persons or harmful to property.

Any activity which transmits noise in excess of the standards given in Section 5.3.5 (d) and (e), beyond the premises where it originates, shall be deemed objectionable and is prohibited.

- (b) Objectionable characteristics of specific noise may include its intensity (sound pressure level, measured in decibels), frequency (pitch, measured by octave band in cycles per second), persistence (duration in time), projection (path of sound wave movement), and time of day. If any of these characteristics exceed the limits specified by these Regulations, or the limits specified by the "Regulations For the Control of Noise in the State of Connecticut"*, whichever is more stringent, the Commission may order such noise immediately abated.

continues

* Adopted by CT Department of Environmental Protection, June 15, 1978, and subsequently amended.

DEVELOPMENT STANDARDS

5.3 Environmental Protection Standards

5.3.5 - Noise and Vibration - continued

Notwithstanding the provisions of Section 6.8 hereof, when a written complaint alleging intolerable noise constituting a health hazard is filed with the Zoning Inspector, and he finds any of these standards violated, he shall serve a cease and desist order effective immediately to remain in effect until the next scheduled meeting of the Commission.

- (c) Noise measurement shall be by means of a sound level meter (for intensity in decibels) used in conjunction with an octave band filter (for frequency in cycles per second), both instruments conforming to American National Standards Institute "Specifications for Sound Level Meters" (latest revision), at locations indicated below. Sounds of short duration (which cannot be measured accurately with only a sound level meter) shall be measured with an impact noise filter in order to determine the peak value of the impact.
- (d) No activity or use, excluding travel by properly muffled passenger automobiles, shall contribute more than 50 dBA (decibels of intensity by "A" scale on the sound level meter) sound level on the boundary of any lot in a Residential Zone between 10 PM and 6 AM. Temporary land clearing, firewood cutting, mowing, landscaping and other domestic improvement work, including permitted construction, may exceed the above standards up to 90 dBA for not more than 8 hours per week between the hours of 9 AM and 7 PM.
- (e) At a distance of fifty (50) feet from a point source, no sound pressure level shall exceed the following values (decibels on "C" scale, or flat network, of sound level meter):

continues

DEVELOPMENT STANDARDS

5.3 Environmental Protection Standards

5.3.5 - Noise and Vibration - continued

<u>Octave Band, Cycles per Second</u>	<u>Maximum Sound Level in Decibels:</u>	
	<u>Residential Zones</u>	<u>Nonresidential Zones</u>
0 - 74	68	72
75 - 99	51	56
100 - 299	44	49
300 - 599	38	44
600 - 1199	35	39
1200 - 2399	32	36
2400 - 4799	28	33
4800 & ABOVE	26	31

- (f) The following noisemaking devices are prohibited in all Zones: outdoor loudspeakers and other sound amplifiers, except where contributing no more than 42 dBA boundary sound level at any time; unmuffled engines; unenclosed stationary machinery such as sawmills, grinders and rock crushers.
- (g) Activities which serve public health or safety or the general welfare, and operate only occasionally at special events but in no case for more than three (3) hours aggregate time per week, are exempt from the specific limitations of (d), (e) and (h) herein. Examples include: sirens, bells, and horns sounding fire alarms or other emergencies; factory whistles; chimes for public time announcement not oftener than once per hour; public parades and musical concerts; public address systems at special civic, political, sports or religious events; civic fireworks displays.
- (h) No activity or use shall result in either steady-state or repeated impact-type vibrations, measured fifty (50) or more feet from the point-source, in excess of the following standards:

<u>Frequency Cycles per Second</u>	<u>Vibration Displacement, Inches</u>
0 - 9	.0010
10 - 19	.0008
20 - 29	.0006
30 - 39	.0004
40 & ABOVE	.0002
	continues

DEVELOPMENT STANDARDS

5.3 Environmental Protection Standards

5.3.5 - Noise and Vibration - continued

Measurement shall be by a three-component measuring system (for recording displacement in three perpendicular directions) approved by the American Standards Association.

Necessary blasting and heavy construction work, when properly authorized and conducted responsibly to protect adjacent property, shall be exempt from the above standards with respect to impact-type vibrations only, during the construction period on weekdays (Monday through Friday) between 8 AM and 5 PM.

- (i) In reviewing the site plan for any proposed use, or in any enforcement action, where there is reasonable doubt as to compliance with these standards, the Commission may require the owner or applicant to submit a noise and vibration analysis by a qualified acoustical engineer. Where existing or proposed noise levels, or vibration levels, exceed specified standards the Commission shall order the installation of such devices as enclosures, cushioning, or operational restrictions as may be required to meet the standards of this Section.

5.3.6 - Light Intensity

- (a) Control of exterior illumination to assure safety, prevent glare, and protect the privacy of adjoining property is required of all uses.
- (b) Excessive emanation of light beyond the boundaries of a lot, whether direct or reflected, is not permitted. Light intensity, duration, and direction shall be limited to the minimum necessary: for safe ground-level illumination of roads, walks, and parking areas; for low-intensity illumination of buildings, signs and landscaped areas; and for confined illumination of outdoor recreation areas.
- (c) The following uses of lighting are prohibited in all Zones:
 - unshielded light sources, such as exposed bulbs, in excess of 500 lumens output. (Higher intensity continues

DEVELOPMENT STANDARDS

5.3 Environmental Protection Standards

5.3.6 - Light Intensity - continued

lighting is permissible where opaque shades or translucent screens prevent visibility of the light source from adjacent premises and from any street, pedestrian walk or parking area accessible to the general public. An illumination intensity of 500 lumens is approximately equivalent to the light output of a standard unshielded 40 watt incandescent bulb.)

- directed beam or focused light fixtures (such as spotlights and floodlights) except where surrounded by an opaque shield and directed to the nearest adjacent surface (such as a building, tennis court, road, or sign) in a manner such that the source of illumination is not directly visible to an observer at a distance of 25 feet or more.
- lighting employed primarily for advertising purposes, including all forms of neon, flashing and animated lights, sky-beams, and outdoor merchandising floodlighting.
- highly reflective building and sign surfaces which act as mirrors to redirect most light and images back to an observer at a distance of 25 feet or more.
- high-intensity light fixtures, more than twenty (20) feet above ground-level, designed to cast broad illumination over extensive site areas, except as permitted under sub-section (h).
- any light which casts direct illumination onto an adjacent property without that owner's explicit permission.

- (d) All light fixtures shall be designed to illuminate specific surfaces only, and enclosed, shielded or fitted with translucent covers which control intensity and focus illumination on the lighted surface without glare from any angle.

Unless specifically approved by the Commission for good reason, based on a lighting engineer's recommendations and adequate screening, direct surface illumination levels shall not exceed the following values as measured by standard light meter in foot candles (lumens/sq. ft.): continues

DEVELOPMENT STANDARDS

5.3 Environmental Protection Standards

5.3.6 - Light Intensity - continued

- | | | |
|----|--|-----|
| -- | Residential Zone, parking lot | 10 |
| -- | Nonresidential Zone, parking & pedestrian walk | 20 |
| -- | Outdoor recreation courts and fields | 100 |
| -- | Sign, indirectly illuminated | 50 |
| -- | Commercial site, activity area | 40 |
- (e) Lights mounted on buildings shall be placed below the eave line, properly shielded, and directed downward at a maximum illumination angle of 45 degrees from vertical.
- (f) Free standing light standards in Residential zones shall be limited to a maximum height of twelve (12) feet above ground level at the base, and shall observe a minimum setback of fifteen (15) feet from all side and rear lot lines.
- (g) Illumination within buildings shall meet the standards of this Section, or be suitably screened, wherever light is permitted to emanate from a building to exterior site areas.
- (h) The standards of this Section shall not apply to necessary traffic signals, to public street lighting, to temporary safety illumination for emergencies or for special public events, and to customary lighting for seasonal civic observances, such as lighted Christmas trees; nor to public recreation facilities where the Commission determines that objectives of this Section will be met.
- (i) Required site plans (Section 5.2) shall show details of all proposed site lighting, including location, height above ground, type of fixture, intensity in lumens at source and on lighted surface, hours of operation, and a diagram at scale illustrating that the height of fixture and angle of cut-off will prevent visibility of the light source from adjacent residential property. Where necessary to protect nearby residential or environmental values, the Commission may limit free-standing light standards to 48-inch "mushroom-shade" types, may require greater setbacks from fixtures and more effective screening, and may limit hours of operation for lights.

continues

DEVELOPMENT STANDARDS

5.3 Environmental Protection Standards 5.3.6 - Light Intensity - continued

The Commission may require additional evaluation from a lighting engineer where necessary, and shall impose restrictions as required to protect public safety and nearby property values.

5.3.7 - Radiation and Electromagnetic Interference

- (a) The handling, storage, use, dissemination and disposal of materials which contain levels of radioactivity within the meaning of "hazardous waste", as defined by the State Commissioner of Environmental Protection under Section 19-25b of the General Statutes, is prohibited.
- (b) Uses and activities which typically create chronic electromagnetic interference with normal radio or television reception in the nearby vicinity are prohibited.*

5.3.8 - Explosives and Flammables

- (a) Uses which routinely store, use, process or disseminate materials which are highly flammable, explosive or otherwise unstable under normal atmospheric conditions shall not be permitted except where proper venting and other safety precautions have been established to the full satisfaction of the Building Inspector, the Fire Marshal, and the Zoning Commission.
- (b) Where any use involving high risk of fire or explosion is permitted, such as gasoline stations or fuel depots, the site plan shall require safe avenues of escape for personnel and effective access for fire apparatus at all times.

5.3.9 - Neighborhood Health, Safety and Property Values

- (a) The exterior portions of all premises, where visible from adjacent street and lot lines, shall be maintained in an orderly, well-planned (or naturally vegetated) condition. As herein used,
continues

* Refer to standards of Federal Communications Commission, with respect to broadcast interference criteria.

DEVELOPMENT STANDARDS

5.3 Environmental Protection Standards

5.3.9 - Neighborhood Health, Safety and Property Values -

continued

"orderly" means free from trash, junk and derelict or abandoned personal property.

- (b) Outdoor storage areas for goods or personal property, occupying five hundred (500) or more square feet of total ground area, shall be densely screened from view from all property lines at every season (see Section 5.7).
- (c) Outdoor, above-ground mechanical and utility fixtures, occupying two (2) or more square feet of ground area each, such as fuel tanks, trash bins, pump enclosures, incinerators, compressors, generators, and pad-mounted transformers, shall comply with the setbacks specified for accessory structures (see Section 3.7 and 3.13).
- (d) Maintenance of the following conditions is prohibited in all zones:
 - Exterior storage or deposit of: junk, unenclosed trash and garbage, animal waste heaps, scrap metal and scrap lumber piles, inoperable equipment or appliances. See definitions of "Junk" and "Junk Yard", Section 8.1.113.
 - Any structure, within a specified building setback area, which threatens public safety or an adjacent property line by reason of imminent danger of collapse onto a roadway or adjacent property, as determined by the Town Building Inspector.
 - Except as controlled by Sections 5.4 and 5.5, earthen slopes, banks or pits in danger of landslide or property-damaging erosion.

Municipal landfills operated by the Town of Redding are exempt from the requirements of Section 5.3.9.

DEVELOPMENT STANDARDS

5.4 Erosion and Stormwater Control

All uses shall make proper provision for control of erosion, sedimentation and stormwater, in particular to:

- (a) minimize soil loss and sedimentation due to the effects of wind, water, ice and construction activity;
- (b) preserve the stability, fertility, and vegetation cover of unpaved site areas;
- (c) control stormwater discharge to prevent flooding and the scouring and siltation of watercourses;
- (d) conserve water tables through adequate on-site stormwater recharge; and
- (e) protect lives and facilities from the effects of major floods.

5.4.1 - Plan and Certification Required

An erosion and stormwater control plan shall accompany each of the following applications, and require certification by the indicated agency:*

- (a) Site Plan (Section 5.2, Zoning Commission)
- (b) Land clearing and regrading plan (Sections 5.5.3 - 5.5.7, Zoning Commission)
- (c) Any other application which proposes disturbance of more than one-half acre (21,780 square feet) of site area such as:
 - 1) Land management plan (Section 5.14, Zoning Commission)
 - 2) Zoning permit plot plan (Section 6.2, Zoning Commission)
 - 3) Subdivision plan (Planning Commission)
 - 4) Regulated activities plan (Conservation Commission).

continues

* Pursuant to CT General Statutes, PA 83-388 (Section 5). A single family dwelling which is not in a subdivision is, however, by provision of the cited statute, exempt from required submission of such plan.

DEVELOPMENT STANDARDS

5.4 Erosion and Stormwater Control

5.4.1 - Plan and Certification Required - continued

The erosion and stormwater control plan shall be designed to meet objectives (a) through (e) above (preamble to this Section), and shall conform to Sections 5.4.2 through 5.4.5 following.

The plan shall consist of:

- (d) A typewritten narrative, signed by the applicant(s), which describes the area and location of the site, site owner(s) and project principals, adjacent owners, proposed construction, starting and completion dates, sequence of each construction and grading activity, design basis and installation schedule for attendant erosion and sediment control measures (Sec. 5.4.3), pre-development and post-development stormwater flows and planned detention (Sec. 5.4.4), proposed bond, planned permanent maintenance program, and specific authorization to the Town of Redding to enter the site for continuing inspection purposes.
- (e) An erosion and stormwater control plan map, by a registered engineer or surveyor, at the same scale as other application plan maps, which shows site location and boundaries, existing topography (5-foot contour intervals), proposed topography at 2-foot contour intervals, soil types with locations of wetlands and watercourses, existing vegetation and proposed clearing, existing and proposed structures, locations of phased construction work (including stockpiles, construction roads and staging areas), location and design details for all erosion and sediment control measures, location and design details for all proposed stormwater drainage and detention facilities, a planting plan for both immediate and permanent site stabilization, and notes which identify project principals and the scheduling sequence for all construction and erosion control work.
- (f) Any other information necessary to explain the work or satisfy the requirements of these Regulations.

In reviewing erosion and stormwater control plans, the responsible commission will be guided by the recommendations of Connecticut Guidelines For Soil Erosion and Sediment Control, chapters 6 - 10, by the Connecticut

DEVELOPMENT STANDARDS

5.4 Erosion and Stormwater Control

5.4.1 - Plan and Certification Required - continued

Council on Soil and Water Conservation (January 1985 as amended).

No plan shall be filed as approved, permits or licenses issued, or work undertaken until the responsible commission has endorsed the Erosion and Stormwater Control Plan as follows, above the signature of its chairman or other authorized official: "Certified in Compliance with Regulations for Erosion and Stormwater Control".

5.4.2 - Protection and Restoration of Natural Cover

Regrading of land for intensive use (such as buildings, structures, and paving) shall be limited to the minimum area necessary for such facilities.

During construction, boundaries of the necessary grading area shall be posted with markers and the remaining site area protected from disturbance.

Natural vegetation on the site shall be preserved wherever possible. All disturbed terrain shall be regraded and restored to a thoroughly planted condition (grass, ground cover or other approved materials) at the earliest feasible time (see Section 5.5).

5.4.3 - Control of Erosion

Wherever land is disturbed or soil is exposed to potential erosion by wind or water, both temporary and permanent measures shall be taken to minimize erosion and prevent the discharge of silt to waterways and adjacent properties.

Temporary measures shall be in place immediately after earth disturbance, and may include mulching, hay bale dams, mats, terracing, traffic prohibition, temporary revegetation and other methods effective until permanent stabilization occurs.

Permanent measures shall be completed as quickly as possible, and may include permanent vegetative cover, terracing, drainage diversion stormwater impoundments, energy dissipators, grassed or rip-rapped swales and other measures which conform to good engineering practice.

continues

DEVELOPMENT STANDARDS

5.4 Erosion and Stormwater Control

5.4.3 - Control of Erosion - continued

Streams shall not be channeled in such manner that excessive velocity would result. Where open drainage courses are created, or construction affects an existing watercourse, banks shall be protected by rip-rap, planting, or other means effective in controlling erosion.*

5.4.4 - Stormwater Detention and Recharge

Stormwater runoff from buildings and paved, impervious or other intensely developed areas (such as driveways, terraces, tennis courts, storage yards) on the site shall not be discharged directly to watercourses or public roads, but shall be collected and detained on the site to accomplish:

- (a) recharge of the natural water tables through ground infiltration of collected stormwater equal to such infiltration before site development;
- (b) gradual release of any surplus runoff to watercourses at a rate not exceeding the pre-development peak runoff rate (for equivalent storms);
- (c) purification of such runoff by detention facilities designed to trap sediment and debris; and
- (d) where feasible, creating water storage basins accessible and usable for fire fighting, flood control and irrigation purposes.

A reasonable estimate of needed detention capacity, accepted by the responsible commission or by the Zoning Inspector, shall suffice for projects involving less than 1,000 square feet in aggregate impervious area per site. All other projects shall require detention and recharge facilities designed to accommodate a fifty-year-frequency storm in conformance with good engineering practice or Town specifications.

* Activities involving wetlands and watercourses are subject to the Town Inland/Wetland and Watercourse Regulations, and require approval by the Town Conservation Commission. See "Definitions", Sections 8.1.55, 8.1.105, 8.1.280, 8.1.285.

PLEASE NOTE: PAGES 65 and 66 OF THE REGULATIONS HAVE BEEN REPLACED
WITH THE FOLLOWING REGULATIONS REGARDING FLOOD SAFETY. THESE PAGES
ARE NUMBERED F-1 through F-14, AND WERE ADOPTED IN MAY OF 1996.

DEVELOPMENT STANDARDS

5.4 Erosion and Stormwater Control

5.4.5 -Flood Safety

5.4.5.1 Statutory Authorization, Finding of Fact, Purpose & Objectives

1.1 Statutory Authorization:

In Section 8.2 of the Connecticut General Statutes, the legislature of the State of Connecticut delegates to local government units the responsibility to promote public health, safety, and general welfare of its citizenry. Therefore, the Zoning Commission of the Town of Redding does ordain as follows:

1.2 Findings of Fact:

The flood hazard areas of Redding are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and government services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard area by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proffed, or otherwise unprotected from flood damage.

1.3 Statement of Purpose:

It is the purpose of this Regulation to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (a) restrict and prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards or which result in damaging increases in erosion or in flood heights or velocities;
- (b) require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (c) control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;
- (d) control filling, grading, dredging and other development which may increase erosion or flood damage; and
- (e) prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

1.4 Objective:

The objectives of this section of the Regulations are:

- (a) To protect human life and health;
- (b) To minimize expenditure of public money for costly flood control projects;

-continues-

5.4 Erosion and Stormwater Control

5.4.5 - Flood Safety - continued

- (c) to minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (d) to minimize prolonged business interruptions;
- (e) to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (f) to help maintain a stable tax base by providing for the sound use and development of flood prone area in such a manner as to minimize flood blight areas; and
- (g) to insure that potential home buyers are notified that property is in a flood hazard area.

5.4.5.2 Definitions

Unless specifically defined below, words and phrases used in this Section shall be interpreted so as to give them the meaning they have in common usage and to give this Section its most reasonable application.

2.1 Accessory Structure

As defined in Section 8.1.10 of these regulations.

2.2 Addition (to an existing building)

Means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

2.3 Appeal

Either (a) a request for a review of the Zoning Enforcement Officer's decision relative to the provisions of this Section or (b) a request for a variance from the requirements of this Section.

2.4 Base Flood

The flood having a one percent chance of being equaled or exceeded in any given year.

2.5 Basement

That portion of a building having its floor subgrade (below ground level) on all sides.

2.6 Building

As defined in Section 8.1.26 of these Regulations.

2.7 Development

Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials.

-continues-

DEVELOPMENT STANDARDS

5.4 Erosion and Stormwater Control

5.4.5.2 Definitions - continued

- 2.8 Elevated Building
A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls as allowed under applicable standards.
- 2.9 Flood or Flooding
A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland water or the unusual and rapid accumulation of run-off surface waters from any source.
- 2.10 Flood Boundry and Floodway Map
An official map of a community on which the Federal Emergency Management Agency has delineated the boundaries of the floodway.
- 2.11 Flood Hazard Boundary Map (FHBM)
An official map of a community on which the Federal Emergency Management Agency has delineated the special flood hazard areas and defined them as "A" zones.
- 2.12 Flood Insurance Rate Map (FIRM)
An official map of a community on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the applicable risk premium zones. FIRMs published after January 1990 may also show the boundaries of the floodway.
- 2.13 Flood Insurance Study
The official report by the Federal Emergency Management Agency. The report contains flood profiles, the water surface elevation of the base flood, and other flood data.
- 2.14 Floodway
The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
- 2.15 Floor
The top surface of an enclosed area in a building (including basement) i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking of vehicles.
- 2.16 Highest Adjacent Grade
The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.
- 2.17 Lowest Floor
The lowest floor of the lowest enclosed area (including basement).

-continued-

DEVELOPMENT STANDARDS

5.4 Erosion and Stormwater Control

5.4.5.2 Definitions - continued

2.18 Manufactured Home

A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. Recreational vehicles and similar transportable structures placed on a site for 180 consecutive days or longer shall be considered manufactured homes for the purpose of this Section.

2.19 Mean Sea Level

Means, for the purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

2.20 New Construction

Structures for which the "start of construction" commenced on or after February 1, 1986 and includes and subsequent improvements to such structures.

2.21 Recreational Vehicle

As defined in Section 8.1.190 of these Regulations.

2.22 Special Flood Hazard Area

The area within a community subject to one percent or greater chance of flooding in any given year, as identified on the community's FIRM.

2.23 Start of Construction

Includes substantial improvement, and means the date the Building Permit was issued, provided the actual start of construction, repair, re-construction, or improvement was within 180 days of the permit date. Should the permittee fail to commence work within this time frame, a new permit shall be required. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footing, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main structure.

2.24 Structure

A walled and roofed building that is principally above ground, a manufactured home, or a gas or liquid storage tank.

-continues-

DEVELOPMENT STANDARDS

5.4 Erosion and Stormwater Control

5.4.5.2 Definitions - continued

2.25 Substantial Damage

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

2.26 Substantial Improvement

Any combination of repairs, re-construction, alteration, or improvements to a structure taking place in which the cumulative cost equals or exceeds 50 percent of the market value of the structure. The market value of the structure should be (1) the appraised value of the structure using the square foot method prior to the start of the initial repair or improvement or (2) in the case of damage, the value of the structure prior to damage occurring. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration effects the external dimensions of the structure. The term does not, however, include any improvement project required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

2.27 Variance

A grant of relief from the requirements of these Regulations which permits construction in a manner otherwise prohibited by this Section where specific enforcement would result in unnecessary hardship. Such hardship shall be based on the unusual physical characteristics of the property in question which are not shared by adjacent parcels; hardship shall not be based on the structure or on economic or personal hardships.

2.28 Water Surface Elevation

The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

5.4.5.3 General Provisions

3.1 Land to Which this Section Applies

This Section shall apply to all Special Flood Hazard Areas within the jurisdiction of the Town of Redding.

3.2 Basis for Establishing the Special Flood Hazard Area

The Special Flood Hazard Areas identified by the Federal Emergency Management Agency in its FHBM map dated June 15, 1982, with accompanying FIRM and floodway maps and other supporting data, and any revision

-continues-

DEVELOPMENT STANDARDS

5.4 Erosion and Stormwater Control

5.4.5.3 General Provisions

3.2 Basis for Establishing the Special Flood Hazard Area

continued
thereto, are adopted by reference and declared to be a part of this Regulation.

3.3 Establishment of the floodplain Magagement Section of the Zoning Permit.

The applicable Sections of the Zoning Permit must be completed in conformance with the provisions of this Section prior to the commencement of any development activities.

Permits issued under this Section shall expire if construction of a permitted structure does not commence within 180 days of permit approval date.

3.4 Compliance

No structure or land shall hereafter be located, extended, converted, modified or structurally altered without full compliance with the terms of this Section and other applicable regulations.

3.5 Abrogation and Greater Restrictions

This Section is not intended to repeal, obrogate, or impair any existing easements, covenants, or deed restrictions. Where this Section and another conflict or overlap, whichever imposes the more stringent restriction will prevail.

3.6 Interpretaion

In the interpretation and application of this Section all provisions shall be (1) considered as minimum requirements, (2) liberally construed in favor of the governing body, and (3) deemed neither to limit nor repeal any other powers granted under State Statute.

3.7 Warning and Disclaimer of Liability

The degree of flood protection required by this Section is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Section does not imply that land outside the Special Flood Hazard Area or uses permitted within such areas will be free from flooding or flood damage. This Section shall not create libility on the part of the Town of Redding or any officer or employee thereof for any flood damages that result from reliance on this Section or any other administrative decision lawfully made thereunder.

5.4.5.4 Administration

4.1 Designation of Administrator

The Zoning Enforcement Office is hereby appointed to administer and implement the provisions of this Section.
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5.4 Erosion and Stormwater Control

5.4.5.4 Administration

4.2 Certification

Where required under this Section, a registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Section. Such certification must be provided to the Zoning Enforcement Officer.

4.3 Permit Procedures

Prior to any development activities, application for a Zoning Permit shall be made to the Zoning Enforcement Officer on forms furnished by him/her. Such application shall be accompanied by two sets of plans drawn to scale, showing, at a minimum, the property lines and location of the parcel; existing and proposed contours; existing and proposed structures; fill; storage of materials, drainage facilities, and the location of the foregoing. The following information shall also be submitted to the Zoning Enforcement Officer:

- (a) elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures;
- (b) elevation in relation to mean sea level to which any non-residential structure will be flood proofed;
- (c) description of the extent to which any water-course will be altered or relocated as a result of the proposed development;
- (d) a statement as to whether or not the proposed alterations to any existing structure meets the criteria of the substantial improvement definition (5.4.5.2, 2.26);
- (e) a statement as to whether there will be dry vehicular access to residential structures during the 100 year storm event; and
- (f) certification as to use of flood proofing for non-residential structures.

Upon completion of the applicable portion of construction, the applicant shall provide the Zoning Enforcement Officer with verification of the as-built lowest floor elevation, defined as the top of the lowest floor (including basement) or, in the case of floodproofed buildings, the elevation to which the floodproofing is effective.

Deficiencies in the lowest floor elevations shall be corrected by the permit holder immediately and prior to further work being permitted to proceed. Failure to submit an acceptable survey or failure to make corrections required hereby shall be cause for issuance of a stop-work order.

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5.4 Erosion and Stormwater Control

5.4.5.4 Administration

4.4 Duties and Responsibilities of Zoning Enforcement Officer ("ZEO")

In the administration of this Section, the ZEO shall perform the following duties, among others:

- (a) review all permit applications to determine whether proposed building sites will be reasonably safe from flooding;
- (b) review all development permits to assure that the requirements of this Section have been satisfied;
- (c) advise permittee that additional Federal or State permit requirements are known and require that copies of such permits be provided and maintained on file in the Town Zoning Department. Such additional permit requirements may include, but are not limited to: Stream Channel Encroachment Line Permit, Coastal Area Management Permit, Water Diversion Permit, Dam Safety Permit, Corps of Engineers 401 and 404 Permits;
- (d) notify the Regional Planning Agency and the effected municipality at least 35 days prior to the Public Hearing if any change of regulation or use of a flood zone will effect an area within 500 feet of another municipality;
- (e) notify adjacent communities and the Department of Environmental Protection Inland Water Resources Division prior to any alteration or relocation of a watercourse, and submit evidence of such notification to FEMA;
- (f) assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished;
- (g) make the necessary interpretation, where needed, as to the exact location of boundaries of Special Flood Hazard Areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given reasonable opportunity to appeal the interpretation as provided by these Regulations;
- (h) require the applicant to provide base flood elevation data for all proposed development (including subdivisions) which are five acres or fifty lots, whichever occurs first, and are located in Zone A';
- (i) obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source including data developed pursuant to Section 4.4 (h) of this Section in order to administer the provisions of Section 5.3, when base flood elevation data or floodway data have not been provided in accordance with Section 3.2.

During construction, the ZEO shall be responsible for

-continues-

DEVELOPMENT STANDARDS

5.4 Erosion and Stormwater Control

4.4 Duties and Responsibilities of Zoning Enforcement Officer ("ZEO") - continued

these additional duties:

- (j) record the as-built elevation (in relation to mean sea level) of the lowest floor (including basement) of all new construction or substantially improved structures in accordance with these Regulations;
- (k) record the elevation (in relation to mean sea level) to which the new or substantially improved structures have been flood-proofed, in accordance with these Regulations;
- (l) maintain all records pertaining to the provisions of this Section; and
- (m) require that a note be recorded on the land records indicating that the parcel is subject to the 100-year flood.

5.4.5.5 Provisions for Flood Hazard Reduction

5.1 General Standards

In all Special Flood Hazard Areas, the following provisions shall apply:

- (a) new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads including the effects of buoyancy;
- (b) new construction and substantial improvements shall be constructed with materials resistant to flood damage;
- (c) new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (d) electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- (e) new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (f) new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the system into flood waters;
- (g) on site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
- (h) in any portion of a watercourse which is altered or re-located, the flood carrying capacity shall be maintained;
- (i) accessory structures (as defined herein) shall be subject to all the standards of Sections (a) and

-continues-

DEVELOPMENT STANDARDS

5.4 Erosion and Stormwater Control

5.1 General Standards - continued

and (b) and all standards of Section(c) as applicable.

At the discretion of the ZEO, accessory structures may also be required to meet the standards of Sections 5.3.a - 5.3.e.;

(j) **manufactured homes** are prohibited in all Special Flood Hazard Areas; and

(k) **recreational vehicles** are prohibited in all Special Flood Hazard Areas.

5.2 Standards for Stream Without Established Base Flood Elevations, Floodways and/or Flood Mapping.

(a) The ZEO shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source, including data developed pursuant to Section 6.4 of this Section, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the community's FIRM meets the standards in Section 5.3.

(b) Base flood elevation data shall be provided with any application for activity in an A Zone or applications for new construction and/or substantial improvements in A Zones.

(c) In A Zones where base flood elevations have been determined, but before a floodway is designated, no new construction, substantial improvement, or other development (including fill) shall be permitted which will increase base flood elevations more than one (1) foot any any point along the watercourse when all anticipated development is considered cumulatively with the proposed development.

(d) The ZEO may request floodway data of an applicant for watercourses without FEMA published floodways. When such data is provided by an applicant or whenever such data is available from any other source, the Town shall adopt a regulatory floodway based on the principle that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one (1) foot at any point along the watercourse.

(e) The ZEO shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source, as criteria for requiring that new construction, substantial improvements, or other development in any area of potential demonstrable or historical flooding within the community meet the standards in Section 5.3.

5.3 Specific Standards

In all Special Flood Hazard Areas Al-30, AE, and AH where base flood elevation data has been provided, the following provisions shall apply in addition to all the general standards contained in Section 5.1.

(a) **Residential Construction.** New construction or substantial improvement of any residential structure shall have the
-continues-

DEVELOPMENT STANDARDS

5.4 Erosion and Stormwater Control

5.3 Specific Standards - continued

lowest floor, including basement, elevated at least to one (1) foot above the base flood elevation.

(b) **Non-Residential Construction.**

-New construction or substantial improvement of any commercial, industrial, or non-residential structure located in Zone A-1-30, AE or AH shall have the lowest floor, including basement, elevated at least to one (1) foot above the level of the base flood elevation; or

-Non-residential structures located in all A-Zones may be flood-proofed in lieu of being elevated provided that together with all attendant utilities and sanitary facilities, the areas of the structure below the required elevation are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall review and/or develop structural design specifications and plans for the construction, and shall certify that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this sub-section. Such certification shall be provided to the ZEO.

(c) **Floodways.** Located within Special Flood Hazard Areas established in General Provisions Section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due the velocity of flood waters which carry debris and potential projectiles and have erosion potential, no encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any (00.0 feet) increase in the flood levels during occurrence of the base flood discharge. Fences located in the floodway must be aligned with the flow and be of an open design.

A permit may be given which allows encroachments resulting in increase in base flood elevations provided the community first obtains a conditional floodway revision meeting the requirements of C.F.R. 44, Chapter 1, Subsection 65-12.

5.4.5.6 Variances

(a) The Zoning Board of Appeals ("ZBA") shall hear and decide appeals and requests for variances from the requirements of this Section.

(b) The ZBA shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the ZEO in the enforcement and administration of this Section.

-continues-

DEVELOPMENT STANDARDS

5.4 Erosion and Stormwater Control

5.4.5.6 Variances - continued

(c) Any person aggrieved by the decision of the ZBA or any person owning land which abuts or is within a radius of 100 feet of the land in question may appeal within 15 days after such decision to the State Superior Court as provided in Section 8-8 of the General Statutes of Connecticut.

(d) Specific Situation Variances:

-Buildings on an Historic Register.

Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places without regard to the procedures set forth in the remainder of this Section and provided the proposed reconstruction, rehabilitation, or restoration will not result in the structure losing its historical designation.

-Pre-existing, Small lot location.

Variances may be issued by a community for new construction and substantial improvements to be erected on a lot of one-half acre or less in size which is contiguous to, and surrounded by, lots with existing structures constructed below the base flood level in conformance with Section "f" herein.

-Functionally-Dependent Uses.

Variances may be issued for new construction and substantial improvement and other development necessary for the conduct of a functionally dependent use provided the structure or other development is protected by methods that minimize flood damage, creates no additional threat to public safety, and meets the requirements of Section "f" herein.

-Floodway Prohibition.

Variances shall not be issued within any designated floodway if any increase in flood levels during base flood discharge would result.

(e) Consideration for Granting of Variances.

In passing upon such application, the ZBA shall consider all technical evaluations, all relevant factors, all standards specified in other Sections of these Regulations and the items listed below. Upon consideration of these factors and the purposes of this Section, the ZBA may attach such conditions to the granting of the variances as it deems necessary to further the purpose of this Section:

-the danger that materials may be swept onto other lands to the injury of others;

-the danger to life and property due to flooding or erosion damage;

-the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

-continues-

DEVELOPMENT STANDARDS

5.4 Erosion and Stormwater Control

5.4.5.6 Variances - continued

- the importance of the services provided by the proposed facility to the community;
- the necessity of the facility to water front location, in the case of a functionally dependent facility;
- the availability of alternative locations which are not subject to flooding or erosion damage for the proposed use;
- the compatibility of the proposed use with existing and anticipated development;
- the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- the safety of access to the property in times of flood for ordinary and emergency vehicles;
- the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected on site; and
- the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

(f) Criteria for Variances.

-Variances shall be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and in the instance of a historical building, a determination that the variance is the minimum necessary as not to destroy the historic character and result in the loss of historic designation of the building.

-Variances may only be issued upon 1) a showing of good and sufficient cause; 2) a determination that failure to grant the variance would result in exceptional hardship; and 3) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances. Only hardships which are based on unusual physical characteristics of the property in question, characteristics which are not shared by adjacent parcels, shall qualify to meet subsection (2) above. Claims of hardship based on the structure, on economic hardship based on the structure, on economic or on personal circumstances are not sufficient cause for the granted of a variance under this Section.

-Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the

-continues-

DEVELOPMENT STANDARDS

5.4 Erosion and Stormwater Control

(f) Criteria for Variances - continued

structure is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation up to amounts as high as \$25.00 for \$100.00 insurance coverage.

-The ZEO shall maintain records of all appeal actions and report any variances to FEMA upon request.

5.4.5.7 Penalties for Violation

Violation of the provisions of this Section or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or Special Exceptions, shall constitute a misdemeanor. Any person who violates this Section or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$250.00 per day if proven done willfully, and \$100.00 per day if not, or imprisoned for not more than 10 days for each day of violations, or both, and in addition, shall pay all costs and reasonable legal fees involved in the case. Nothing herein contained shall prevent the Town of Redding from taking such other lawful action as is necessary to prevent or remedy any violation.

DEVELOPMENT STANDARDS

5.5 Land Clearing and Regrading

Uncontrolled clearing and regrading of land endangers public health, safety and property values by increased risk of fire, flood, air and water contamination, and destruction of environmental resources.

In the Town of Redding, there shall be no excavation, clearing, regrading, removal or filling of land or earth materials except as provided in the following sections.*

5.5.1 - Permitted by Right

- (a) Excavation, filling or regrading involving not more than one hundred (100) cubic yards of earth material, provided the project:

-Disturbs not more than one-half acre in aggregate site area;

-Is completed within thirty (30) consecutive days and no other excavation, filling or regrading project is undertaken on the site within the subsequent eleven months; and

-Requirements of Section 5.5 are fully met.

- (b) Land clearing, provided adequate erosion control and prompt revegetation are accomplished as provided by Section 5.4.3, as follows:

-Brushland, any extent of area.

-Woodland tract, non-intensive clearing, any extent of area.

-Woodland tract, intensive clearing, not more than one acre in extent during each consecutive twelve month period. Greater clearing requires a land management plan, as provided in Section 5.14.3. See definitions of "Woodland Tract" and "Intensive Clearing", Section 8.1.290.

* Land within and adjacent to wetlands and watercourses (see Definitions, Sections 8.1.285, 8.1.280) is also subject to the jurisdiction of the Town Inland/Wetland and Watercourses Regulations, to which reference should be made.

DEVELOPMENT STANDARDS

5.5 Land Clearing and Regrading

5.5.2 - Permitted Subject to Other Approvals

- (a) Excavation, filling or regrading involving more than one hundred (100) but less than three (300) cubic yards of earth material; provided carried out in complete conformity with a plot plan filed with the Zoning Inspector, as provided in Section 6.2, which establishes full compliance with the standards of Section 5.5.5.
- (b) Excavation, filling or regrading which is clearly necessary and incidental to a permitted construction project at the same location, as authorized by a valid Town building, zoning, septic, or driveway permit, or by a special permit or site plan approved by the Zoning Commission under these Regulations; provided there is full compliance with the standards of Section 5.5.5.
- (c) Excavation, filling or regrading in conformity with plans for a regulated activity in wetlands or watercourses, approved by the Conservation Commission (see, also, Section 5.5.6).
- (d) Excavation, filling or regrading in conformity with a subdivision construction plan for such required work as roads, driveways, utilities, drainage or detention basins, approved by the Planning Commission.

Where any of the foregoing results in disturbance of more than one-half acre of site area, an Erosion and Stormwater Control Plan is also required, as provided in Section 5.4.1.

5.5.3 - Special Permit Required

Land excavation, filling, clearing, removal and regrading projects not authorized by Sections 5.5.1 and 5.5.2 may be permitted by the Zoning Commission subject to:

- (a) a Special Permit in accordance with Section 5.1 hereof (see "Required Findings", Section 5.1.3);
- (b) a determination by the Commission that each proposed land clearing will adequately protect the

(continues)

DEVELOPMENT STANDARDS

5.5 Land Clearing and Regrading

5.5.3 - Special Permit Required - continued

soil, water, natural resources and property values of the site and nearby area, and that each earth regrading project will fully comply with the standards of Sections 5.4.3 and 5.5.5;

- (c) strict adherence to the site plan approved by the Commission (see Section 5.2.2 and 5.5.4).

5.5.4 - Project Site Plan

In addition to all relevant data required by Section 5.2.2, the site plan for a project subject to Special Permit shall show:

- (a) for land clearing operations; equipment access roads and storage areas, extent of clearing area, erosion controls, slash and log storage locations, wetlands and watercourses, seasonal scheduling, type and sizes of trees to be removed, proposed site restoration and reforestation, and all data applicable from following subsection;
- (b) the type, geographic extent, approximate volume (cubic yards), and disposition of soil and other earth materials to be removed, filled, relocated, or regraded;
- (c) the location of each consecutive work phase of the work, including excavation, fill, stockpiling, temporary bank slopes, equipment storage and structures (if any);
- (d) proposed Erosion and Stormwater Control Plan, in accordance with Section 5.4;
- (e) typical cross-sections, showing test boring data and planned stabilization measures wherever required by the Commission, for all constructed slopes proposed to exceed twenty percent (20%) and for all constructed ponds, detention basins and drainageways (see Section 5.4).
- (f) proposed depths and finished grades of subsoil and topsoil to be established throughout the site;
- (g) proposed planting and revegetation of all disturbed area;

(continues)

DEVELOPMENT STANDARDS

5.5 Land Clearing and Regrading

5.5.4 - Project Site Plan - continued

- (h) truck entrances and exits to the site, and proposed measures to control material spillage, traffic hazards and nuisance, especially with respect to nearby residences and roads;
- (i) proposed commencement and completion dates for each phase of the project; and
- (j) any other data required by the Commission to determine the project's compliance with these Regulations.

5.5.5 - General Standards for Earth Moving Projects

All earth excavation, filling, removal and regrading projects, including those authorized under Section 5.5.1, 5.5.2, and 5.5.3, shall comply with the following requirements:

- (a) No alteration or construction shall take place within the 100-year flood plain, except as provided by Section 5.4.5.
- (b) No alteration or construction shall take place in a regulated wetland or watercourse, except by permission under the Town's Wetlands and Watercourse Regulations.
- (c) Adequate erosion control measures shall be in place at all times, in accordance with Sections 5.4.1 through 5.4.3. Detention basins or other stormwater control methods shall be used as provided by Sections 5.4.4 and 5.3.3 (e).
- (d) Arable topsoil existing on the site of the work shall be carefully removed and stockpiled for later use in site restoration, before filling or excavation commences.
- (e) Grading shall neither alter the natural contour lines by more than 12 inches nor disturb natural drainage patterns within twenty-five (25) feet of the side or rear lots of any lot in a Residential Zone, except as shown on a plan approved under Town Subdivision, Wetlands and Watercourses, or Zoning Regulations (see Sections 5.2, 5.5.4).

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DEVELOPMENT STANDARDS

5.5 Land Clearing and Regrading

5.5.5 - General Standards for Earth Moving Projects - cont.

- (f) Maximum finished grades on all soil slopes shall be 1:2 (vertical: horizontal). Steeper slopes may be permitted only in stable rock cuts or where permanently stabilized by terracing, retaining walls, rip-rap or other structures designed by a registered professional engineer.
- (g) Material used for land filling shall be of firm texture, free from decomposable or other unstable matter likely to cause future land subsidence, and from foreign substances likely to cause pollution of soil or ground.
- (h) Fences or guide rails shall be provided at the top of slopes which exceed 1:2 (vertical: horizontal), and at the top of all retaining walls which exceed four (4) feet in height, where adjacent to lot line or accessible to vehicles or pedestrians.
- (i) All work operations shall be limited to week days (Monday - Friday, inclusive) between 7:00 AM and 5:00 PM, except projects by individual homeowners involving no more than 300 cubic yards of earth moving. No flood lights or other site lighting shall be used.
- (j) No processing, sorting, crushing, sifting, washing, mixing or fabrication of earth materials shall occur on the site. No sharp declivities, holes, loose banks or standing water shall be allowed to remain overnight or during other periods when work is not in progress.
- (k) Except where the approved site plan designates the construction of water bodies, structures, paved or other surfaced areas, all disturbed terrain shall be evenly graded in accordance with the approved contours, cleared of all debris, topsoiled and seeded. Fertile topsoil shall be applied to a uniform depth of six (6) inches or greater, and a hardy, perennial grass or ground cover maintained until all danger of surface erosion has passed.

DEVELOPMENT STANDARDS

5.5 Land Clearing and Regrading

5.5.6 - Special Requirements for Earth Moving Projects

In granting an application for a Special Permit, as provided by Section 5.5.3, the Commission may require the following special measures where necessary to protect health, safety, property values or the natural environment (see Sections 2.1 - 2.12 inclusive):

- (a) A limit on the size or extent of area to be disturbed at any one time during conduct of the work.
- (b) Reasonable restrictions to control dust, noise, vibration, air and water pollution, traffic and other nuisances; such as screening, limits on traffic movement, more restrictive hours. (See Section 5.3).
- (c) A study and report by a competent engineer, together with a diversified planting and site restoration plan, wherever necessary to protect soil, water and natural resources of the area.
- (d) A comprehensive report by a qualified engineer or hydrologist, where the project proposes the construction or reconstruction of a water body or channel. Recommendations shall be based on: soil and percolation tests; consideration of drainage patterns and volumes; nearby wells and septic systems; the hydrologic integrity of nearby streams and wetlands; prevention of erosion and siltation; water holding and release characteristics of proposed water bodies; use of detained water; and suitability for access by fire-fighting apparatus.

5.5.7 - Performance Bond and Protection Duration

Where a project is authorized by Special Permit (see Section 5.5.3), a performance bond, adequate in form and surety to guarantee the satisfactory completion of the project within the approved construction period, shall be provided before the Commission endorses its approval on the final site plan.

The Commission, on evidence of satisfactory conduct of the work, may extend the allotted construction period but no project shall be permitted to extend longer than three years from date of approval to final completion including extensions.

DEVELOPMENT STANDARDS

5.6 Traffic Access, Parking and Loading.

Adequate parking and loading facilities, convenient access and circulation roadways, and reasonable pedestrian accessways are required for all uses.

The layout and improvement of parking and loading facilities requires site plan approval by the Zoning Commission for all uses except single-family dwellings, and permitted residential accessory uses. (See Sections 3.8, driveways, and 5.2, site plans.)

Where the site plan proposes a facility which will generate a significant increase in traffic volume, the Commission may require the applicant to:

- (a) provide an analysis by a professional traffic engineer showing existing and projected traffic movements, traffic volumes, peak periods and recommended improvements for capacity and safety;
- (b) improve the access road leading to the site as required for vehicular and pedestrian safety; and
- (c) limit the scope and times of activity on the site as necessary for traffic safety or protection of adjacent property values.

5.6.1 - Parking and Loading Facilities

Parking facilities consist of improved parking spaces, access aisles, roadways, parking facility driveways, [amendment of 3/99] pedestrian walks, drainage, landscaping and related features. A parking space is an unobstructed rectangular space accessible and available for parking one conventional automobile, at least 9 feet side by 20 feet long (horizontal dimensions) by 9 feet clear height (vertical dimensions). For compact car parking spaces, see Section 5.6.6 (o).

Loading facilities consist of an improved loading space of spaces, access aisles and related features. A loading space is an unobstructed rectangular space accessible and available for one commercial-type motor vehicle, truck, or bus; at least 14 feet wide by 40 feet long (horizontal dimensions) by 14 feet clear height (vertical dimension).

DEVELOPMENT STANDARDS

5.6 Traffic Access, Parking and Loading

5.6.2 - Parking Requirements

On-site parking is required for all uses. Parking facilities shall be located on the same site as the use served (except as provided by Sections 5.6.6 and 5.6.9), and constructed to standards described in Section 5.6.5.

For non-residential uses in Historic Buildings or Historic Structures located in the HVC Zone only, the Commission may modify the number of parking spaces based on the intensity of proposed use of the buildings or structures.

An existing use which lacks parking as specified herein shall be required to meet the standards of this section for any enlargement thereof, or new use, and to supply such additional parking as the Commission finds may be reasonably accommodated on the site for the benefit of that portion of the use which is deficient in parking (pre-existing use).

Where the Commission finds that the proposed use will actually need substantially fewer parking spaces than specified by Section 5.6.2, it may permit the unneeded spaces to be laid out on the site plan but left unimproved, in a landscaped condition, until such future time as the intensity of site use requires their availability.

The following minimum parking requirements apply to all zones:

<u>Type of Use</u>	<u>Required Parking Spaces</u>
(a) Single-family dwelling	2 per dwelling
(b) Two-family and multi-family dwellings	2 per each two-bedroom or three-bedroom unit 1.5 per each studio or one-bedroom unit designated for, and restricted to the Elderly.
(c) Residential apartment, accessory to dwelling	2 for apartment unit plus 2 for main dwelling

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DEVELOPMENT STANDARDS

5.6 Traffic Access, Parking and Loading 5.6.2 - Parking Requirements - continued

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|-----|--|--|
| (d) | Professional office or customary home occupation accessory to dwelling | 2 per each employee (to provide for clients and visitors) |
| (e) | Church, theater, auditorium, outdoor sports arena | 1 per each 4 seats |
| (f) | School: elementary, middle, or secondary (excluding auditorium) | 1 per each employee and staff member |
| (g) | Nursery School, daycare center, specialized school, training institute, college (excluding auditorium) | 1 per each employee and staff member plus 1 per each 5 students or enrolled trainees |
| (h) | Museum, library, art gallery | 1 per 500 square feet floor area, plus 1 per employee |
| (i) | Private recreation club | 1 per member (or family membership) plus 1 per employee |
| (j) | Hospital, nursing home | 1 per each 4 patient beds |
| (k) | Executive or corporate offices, research laboratory | 1 per each employee on largest shift, plus 1 per each company vehicle stored on premises, plus 1 per each average daily visitor; but not less than 1 per each 500 square feet of floor area. |
| (l) | Business, professional, institutional or public offices; banks | 1 per each 250 square feet of floor area |

continues

DEVELOPMENT STANDARDS

5.6 Traffic Access, Parking and Loading 5.6.2 - Parking Requirements - continued

- | | |
|---|---|
| (m) Retail stores and shops | 1 per each 150 square feet of ground floor area, plus 1 per each 200 square feet of floor area on other floors |
| (n) Restaurant | 1 per each 2 customer seats, or 1 per each 50 square feet of floor area devoted to customer use, whichever is greater |
| (o) Hotel, motel (excluding restaurant) | 1 per each guest unit, plus 1 per employee |
| (p) Indoor tennis, bowling other commercial or public recreation facility | 1 per each participant during the hour of maximum usage, plus 1 per each fixed spectator seat |
| (q) Funeral Home | 1 per each 150 square feet of floor area |
| (r) Automotive sales, service and repair | 3 spaces per each repair bay, plus 1 per employee |
| (s) Industrial, wholesale, general commercial | 1 per each employee on largest shift, plus 1 per each company vehicle stored on premises |
| (t) Other uses | As determined necessary in each case by the Commission, based on anticipated employees and visitors. |

DEVELOPMENT STANDARDS

5.6 Traffic Access, Parking and Loading

5.6.3 - Loading Requirements

Loading facilities shall be located as close to buildings served as feasible, and shall be clearly posted "Reserved Loading Space".

In reviewing a site plan under these Regulations, the Commission may require that loading docks and spaces be placed at the side or rear of a building, and that effective screening of such area be provided where necessary to protect the values of adjacent areas. Where an applicant agrees, as a site plan condition, to restrict the size of vehicles using on-site loading facilities, the Commission may reduce the required dimensions of any loading space to not less than 12 feet by 30 feet (horizontal) by 12 feet (vertical).

<u>Type of Use:</u>	<u>Required Loading Spaces:</u>
(a) Retail and service business, general commercial	Aggregate floor area of bldg: <ul style="list-style-type: none">- Less than 4,000 sq. feet, none required.- 4,000 - 20,000 sq. feet, one space.- 20,001 - 50,000 sq. feet, two spaces.- Over 50,000 sq. feet, two spaces plus additional spaces deemed necessary by the Commission.
(b) Wholesale storage, industrial	Aggregate floor area of bldg: <ul style="list-style-type: none">- Less than 15,000 sq. feet, one space.- Over 15,000 sq. feet, one space per each 30,000 sq. feet and major portion thereof.
(c) Offices	Aggregate floor area of bldg: <ul style="list-style-type: none">- Less than 10,000 sq. feet, none required.- 10,000 to 50,000 sq. feet, one space.- 50,001 to 100,000 sq. feet, two spaces.- Over 100,000 sq. feet, two spaces plus additional spaces deemed necessary by Commission. (continues)

DEVELOPMENT STANDARDS

5.6 Traffic Access, Parking and Loading

5.6.3 - Loading Requirements - continued

- (d) Institutional and other uses As determined necessary in each case by the Commission, based on anticipated visits by service and delivery vehicles.

5.6.4 - Location and Setbacks

Parking and loading facilities shall be located on the same premises as the principal use served, except as provided by Section 5.6.6.

Each parking and loading space shall be served by an adjacent access aisle designed to accommodate vehicles entering and leaving such space (see Sections 5.6.5a, 5.6.5b). No private parking or loading space shall require a vehicle to back into a public street.

Minimum setbacks for parking and loading facilities - including all parking spaces, loading spaces, access aisles, light posts, fences, structures and paved areas - shall be as follows (all dimensions in feet):

Required Setback For Parking and Loading Facilities - In feet, from -	-----Zones-----				
	R-4 R-2 R-1	R-1/2 RV	OR	NB SB	BC
Front lot line -					
Nonresidential use	50*	25	50	15	6
Residential use only	30	15	50	15	6
Side and rear lot lines					
Nonresidential use	100**x	15**	15**	10**	NR
Residential use only	25	15	15	10	NR
Boundary of Residential Zone	NR	NR	100x	25	25
Streams and Watercourses	25w	15w	25w	10w	NRw
Buildings (except garage and loading doors)	20t	10t	10t	10t	NR

Notes:

NR -- No requirement.

(Notes continue)

DEVELOPMENT STANDARDS

5.6 Traffic Access, Parking and Loading

5.6.4 - Location and Setbacks - continued

Notes - continued

- * -- See Section 5.1.4.
- ** -- Except that none is required where adjacent lots share parking and loading facilities, as provided in Section 5.6.6.
- x -- Except that the Commission may allow up to 75 feet of required setback to be allocated from a directly adjacent permanently dedicated open space parcel. See also Section 5.1.4 (Residential R-4, R-2, R-1 Zones).
- w -- Note, however, that any earth disturbance within 100 feet of certain streams and wetlands requires permission from Town Conservation Commission, per Wetlands and Watercourses Regulations. See also Section 5.4.5 (Flood Safety).
- t -- Except none required for parking or loading within or under a building.

5.6.5 - Design Standards

The minimum dimensions of parking and loading spaces shall be as prescribed by Section 5.6.1.

Except where limited to serving a single family residence, a two-family residence, or an accessory residential apartment, all parking and loading facilities accomodating five (5) or more vehicles shall meet the following requirements:

<u>Type of Feature</u>	<u>Requirement</u>
a) Parking access aisle	Minimum width, adjacent to: 90 deg spaces (perpendicular), 24 ft. 60 deg spaces (angular), 21 feet. 45 deg spaces (angular), 18 feet. 0 deg spaces (parallel), 14 feet.
b) Traffic circulation	Minimum width: - one-lane road, 14 feet. - two-lane road, 24 feet. Maximum dead end parking aisle: 20 spaces served.
c) Grades	Parking spaces, loading spaces, access aisles: 4% maximum. No-parking circulation road: 10% maximum. (continues)

DEVELOPMENT STANDARDS

5.6 Traffic Access, Parking and Loading

5.6.5 - Design Standards - continued

<u>Type of Feature</u>	<u>Requirement</u>
d) Surface treatment of travel area	5 or fewer parking spaces in Residential Zones, optional. All others: bituminous concrete (asphalt or approved equivalent) surface over 12 inch gravel base, both conforming to Town of Redding Road Regulations specifications (Sections 7-9, as amended): except that the Commission may permit permeable surfaces in areas deemed acceptable to provide ground water recharge to an aquifer or to a wetland, or to minimize erosion and siltation.
e) Pavement marking: loading	Standard white or yellow stripe delineating each parking and loading space, reversed spaces, directional arrows and crosswalks.
f) Storm drainage	See Sections 5.2.2, 5.3.3 (e) and 5.4. Catch basins shall be located apart from pedestrian traffic and snow storage areas. Adequate stormwater detention and groundwater recharge facilities shall be provided.
g) Utility features	Electric and telephone lines shall be placed underground. Transformers, mechanical equipment, pump houses, comfort stations, trash bins, and other accessory structures (if any) shall be separated from traffic and pedestrian areas, and fully screened. Telephone stations and fire hydrants may be placed in accessible locations which are not in conflict with vehicular or pedestrian movements.

continues

DEVELOPMENT STANDARDS

5.6 Traffic Access, Parking and Loading 5.6.5 - Design Standards - continued-

<u>Type of Feature</u>	<u>Requirement</u>
h) Safety and planting islands	<p>Safety and planting islands are required:</p> <ul style="list-style-type: none">- along the inner (curb) side of all parallel parking spaces;- along the head-in (curb) end of all perpendicular and angular parking spaces;- separating adjacent rows of parking spaces along their inner (head-in, or curb) sides;- extending across the full depth of each single or double parking row (20 feet, or 40 feet), with a pedestrian walk, at intervals of 100 feet or less;- at the ends of all parking rows, rounded for safe vehicular turning;- inside all lot lines, to setback depth specified by Section 5.6.4;- And wherever required for safety, traffic control or circulation, as directed by the Commission.

All islands shall be a minimum eight (8) feet in width, and protected by curbing, bollards, or wheel stops. Except where pedestrian walks are located, all islands shall be fully pervious and landscaped. (See Section 5.7 and Diagram at end of Section 5.6).

In any parking facility accommodating 100 or more cars, however, the Commission may modify the arrangement and location of interior planting islands, provided there will be structures adequate to control vehicle movement and parking (such as curbs, bollards or guide rails) and at least 25% of the entire parking lot area,

continues

DEVELOPMENT STANDARDS

5.6 Traffic Access, Parking and Loading 5.6.5 - Design Standards - continued

<u>Type of Feature</u>	<u>Requirement</u>
h) Safety and planting islands	including all paving and interior islands but excluding all required setback areas adjacent to exterior boundaries, will be pervious, densely planted landscaped area.
i) Curbs, bollards, wheel stops, bumpers	<p>One or more of these devices shall be provided to protect each island, planting area, and pedestrian walk, and to control vehicle parking and traffic flow. (See Definitions, Sections 8.1.22 and 8.1.29).</p> <p>Curbs shall be of granite or concrete per Town specifications, or other materials where acceptable to the Commission. Where curbs or wheel stop do not exceed 6 inches height, perpendicular or angular parking spaces may extend into (overhang) an island by not more than 24 inches.</p> <p>Minimum curbline radius at intersections: aisles within parking lot - 4 feet; street entrances and exits - 15 ft.</p>
j) Pedestrian walks	<p>Required across parking rows at 10 space intervals (or closer), between parking and building entrances and exits, and wherever required for pedestrian safety.</p> <p>Minimum clear width: 4 feet (48 inches). Surface: as approved by Commission. Elevation: must be 6 inches above paved parking (except crosswalks) to deflect storm drainage, ice and snow. A graded ramp, safe for wheelchairs, shall be provided wherever a crosswalk intersects a curbline (see General Statutes 7-118a).</p>

continues

DEVELOPMENT STANDARDS

5.6 Traffic Access, Parking and Loading 5.6.5 - Design Standards - continued

<u>Type of Feature</u>	<u>Requirement</u>										
k) Spaces for the handicapped	Special parking spaces for handicapped persons shall be reserved as follows: <table><tr><th><u>Total parking spaces:</u></th><th><u>Required spaces for handicapped:</u></th></tr><tr><td>20 - 49</td><td>1</td></tr><tr><td>50 - 99</td><td>2</td></tr><tr><td>100 -199</td><td>3</td></tr><tr><td>200 & Over</td><td>3 plus 1 for each additional 100 spaces or major portion thereof.</td></tr></table>	<u>Total parking spaces:</u>	<u>Required spaces for handicapped:</u>	20 - 49	1	50 - 99	2	100 -199	3	200 & Over	3 plus 1 for each additional 100 spaces or major portion thereof.
<u>Total parking spaces:</u>	<u>Required spaces for handicapped:</u>										
20 - 49	1										
50 - 99	2										
100 -199	3										
200 & Over	3 plus 1 for each additional 100 spaces or major portion thereof.										

Spaces for the handicapped count toward total parking requirement. Such special spaces shall be at least 12 feet by 20 feet in dimension, located at close proximity to the main building entrance, and clearly marked by standard symbols or a sign which indicates "Reserved For Handicapped, State Permit Required".

1) Emergency lanes

An emergency lane, at least 12 feet by 60 feet in dimension, shall be marked out and reserved for use by fire apparatus, police and rescue vehicles in each parking lot providing 100 or more spaces, at a location approved by the Commission.

Such lanes may encroach on the required islands or setback areas where the Commission determines public safety requires such location.

continues

DEVELOPMENT STANDARDS

5.6 Traffic Access, Parking and Loading 5.6.5 - Design Standards - continued

<u>Type of Feature</u>	<u>Requirement</u>
m) Lighting	<p>See Section 5.3.6.</p> <p>All illumination shall be shielded and directed downward.</p> <p>Maximum height of free-standing light fixtures above ground level: Nonresidential zones, 20 feet; Residential zone, 12 feet. Setback required: 4 feet from all curbs, and as provided in Sections 5.3.6 (f) and 5.6.4.</p>
n) Landscaping and screening	<p>See Section 5.7.</p>
o) Compact car parking spaces	<p>In any parking facility accommodating 100 or more cars, the Commission may permit up to 25% of the required parking spaces to be marked out in a contiguous section and reserved exclusively for compact cars. Such parking spaces shall have horizontal dimensions of 8 feet width by 16 feet length each, all shall meet all other requirements herein.</p>
p) Small lots, Residential Zone	<p>On any site accommodating 20 or fewer parking spaces within a Residential Zone, the Commission may waive any of the specific standards of subsections b), d), e) h), or j) in Section 5.6.5 above provided it finds the parking site plan will accomplish <u>each</u> of the following objectives:</p> <p>(1) establish a permanent, densely planted green space or buffer at least twice the area (200%) of the used or improved parking facility including parking facility driveway, surrounding the parking facility on all sides.</p>

-continues-

DEVELOPMENT STANDARDS

5.6 Traffic Access, Parking and Loading 5.6.5 - Design Standards - continued

<u>Type of Feature</u>	<u>Requirement</u>
p) Small lots, Residential Zone	(2) provide adequately for the safety of all vehicles and pedestrians using the facility; and (3) diligently protect all aspects of the natural environment and residential quality of the surrounding area.

For illustration of some of the above standards, see diagram at the end of Section 5.6.

Where the parking facility consists of a gently graded, open grassy field, used no more than ten (10) days per year for vehicle parking for special events (such as school athletic games and public suppers or fairs), the above standards shall not apply.

5.6.6 - Shared Parking and Loading Facilities

In its site plan review, the Commission may permit required parking or loading facilities to be located off the premises, within 500 feet of the served building, provided such facilities are located:

(a) in a lot convenient for pedestrian access, owned or leased for long-term by the owner of the served building, provided that permission for the principal use shall continue as long as the required parking and loading are maintained to serve the use; or

(b) in a shared parking or loading facility, jointly owned with others, provided the required spaces are permanently and enforceably reserved to serve the said use.

To encourage the improved efficiency, safety and traffic circulation inherent in coordinated parking facilities, the Commission may reduce the required number of spaces by not more than twenty percent (20%) for each lot which enters into a permanently binding covenant for shared parking and access facilities with adjacent owners, in accordance with a site plan approved by the Commission. Any arrangement for shared parking facilities must include in the covenant an enforceable provision for maintenance responsibility satisfactory to the Commission. (continues)

DEVELOPMENT STANDARDS

5.6 Traffic Access, Parking and Loading

5.6.6 - Shared Parking and Loading Facilities - cont.

Where a site plan imposes a binding restriction on hours of operation of a specific use, such that its operation will not coincide with activity times of other uses on the site or in a shared parking facility, the Commission may permit the shared use of designated parking spaces at non-conflicting times.

5.6.7 - Maintenance Responsibility

The owner (or owners) of parking, loading and related facilities shall properly maintain all facilities, including plantings, pavement markings, curbs and wheel stops, lights, signs, pavement, storm drainage and other facilities shown on the approved site plan.

Failure to properly correct any deficiency after notice from the Zoning Inspector shall constitute a zoning violation within the meaning of Section 6.5.

5.6.8 - Performance Bond

In approving any site plan for parking or related facilities, the Commission may require a performance bond as provided in Section 5.2.8.

5.6.9 - Land Donated for Public Parking

To encourage the creation of improved traffic circulation and public parking, the Planning Commission may establish plans for street relocation and building lines, as provided in the General Statutes.* Such plans will delineate parcels recommended for public acquisition, and will include building lines which define permissible future building locations on each fronting lot.

Where the owner of any land thereby recommended for public acquisition donates the delineated parcel to the Town of Redding for public street and parking use, without financial consideration, and said Town accepts the same, the following exemptions from these Regulations shall apply to the portion of the donor's property lying within the established building lines:

continues

* CT General Statutes as amended, Section 8-29.

DEVELOPMENT STANDARDS

5.6 Traffic Access, Parking and Loading

5.6.9 - Land Donated for Public Parking - continued

- (a) No front , side or rear yards, and no maximum structure coverage or impervious area shall be required; except that if a side yard is provided it shall be at least eight (8) feet in width and provided with a landscaped pedestrian walk.
- (b) Maximum floor area of any building shall be equal to twice the land area within said building lines.
- (c) No parking or loading facilities need be provided for the building area which lies within the said building lines
See definition of "Building Line", Section 8.1.27.

5.6.10 - Parking Structures

A parking structure is any ramp, garage, under-building space, roof space, or elevated deck designed for vehicular parking. Use of parking structures, within the height and setback limitations of these Regulations, is encouraged in BC and HVC Zones and may be permitted by the Commission in its review of any site plan under Section 5.2. A parking structure is excluded from building coverage limitation if placed below finished grade and covered by landscaping.

Parking structures shall meet the design standards of Section 5.6.5 for layout of parking spaces, access aisles and roadways, back-out and turning space, and the standards of Section 5.6.1 for horizontal (9 feet by 20 feet) and vertical (9 feet clear height) space dimensions. The Commission may modify the horizontal dimensional standards within an enclosed parking structure when based on a plan prepared by an engineer and meeting standards set forth by the Institute of Traffic Engineers or similar authoritative organization. Each parking structure shall be provided with adequate ventilation, interior illumination, emergency vehicle access and safe pedestrian circulation. In approving a parking structure as part of a site plan, the Commission may require that the structure be landscaped and screened as it deems appropriate.

DEVELOPMENT STANDARDS

5.6 Traffic Access, Parking and Loading

(This section is part of an amendment adopted 12/96.)

5.6.11 - Special Regulations Governing Properties With Access From Route 7.

The unique status of U.S. Route 7, Ethan Allen Highway, as a regional arterial highway which carries a heavy volume of intertown traffic requires that the following standards be met in each application for site plan approval.

Specific recommendations of the "Redding Route 7 curb cut and Access Management Plan", as the same may now or hereafter be adopted by the Redding Zoning Commission, shall be implemented on the site plan as fully as possible.

For any project which proposes the creation or relocation of ten (10) or more parking spaces, an analysis by a professional traffic engineer shall be submitted which evaluates the project's impact on Route 7 traffic flow in terms of safety, capacity and speed, especially in relation to present and projected peak hour volume. Unless the report demonstrates that there will be no adverse impact on Route 7 safety and capacity, the project will not be approved.

New curb cuts (driveway intersections) with Route 7 shall be spaced at least two hundred feet from existing curb cuts, unless a variation from this spacing can be demonstrated to enhance existing safety and efficiency. Where existing frontages cannot meet this standard, the Commission may require a shared driveway with an adjoining lot, an access easement through an adjoining lot for vehicle and pedestrian use and circulation, or both as it may judge necessary for safety. Every fronting lot shall be entitled to retain at least one (1) properly designed entrance/exit drive.

Safe stopping distance shall be provided, based on highway posted speeds, for every new driveway intersection. Where insufficient lane space is available in the frontage road, the Commission may require road widening to provide an essential right-turn lane or left-turn-storage lane, in accordance with State Department of Transportation standards.

DEVELOPMENT STANDARDS

5.7 Landscape Requirements

Site development in all zones shall preserve major trees and existing landscape features wherever possible, and provide intensive replanting of all disturbed areas to control erosion, to moderate climatic extremes, and to protect the rural residential quality of the community.

5.7.1 - Types of Landscape Treatment

Details of proposed planting shall be shown on the required site plan, including location, specie, initial and mature size, density, and spacing of all plantings and other significant landscape features.

Various types of landscape material required are:

- a) Shade trees; for purpose of summer shade for roads, parking, buildings and activity areas. Requires hardy deciduous trees, minimum 2 inch caliper 12 inches above ground, with deep soil and shade tolerant ground cover (ground cover plants, low shrubbery, grass, stones or chips) in adjacent ground area.
- b) Slope plantings; for purpose of stabilizing cut banks and controlling erosion. Requires hardy shrubs, erosion-resistant plants and vines, terracing, stabilized rock cuts or retaining walls wherever slope would exceed 1.0 : 1.5 (vertical : horizontal), rip-rap or stabilizing planting along created drainage channels.
- c) Open Landscaping; for purpose of site aesthetics, building enhancement, recreation. Requires perennial grass or ground cover, suitable shrubs, trees or ornamental plantings, regularly maintained for attractive appearance.
- d) Screening; for purpose of visual concealment of specific areas (such as parking and commercial areas). Requires dense evergreen hedge in double-offset rows, of hardy type with full growth at ground-level and at least 8 feet in height. May also require supplementary fences or masonry walls, or both, as determined necessary by the Commission.

continues

DEVELOPMENT STANDARDS

5.7 Landscape Requirements

5.7.1 - Types of Landscape Treatment - continued

- e) Natural buffer; for purpose of interrupting light, sound and visibility between incompatible uses through retention of natural woods and dense undergrowth. Requires sufficient depth and density of natural growth for effective buffer, and may require supplemental planting as determined necessary by Commission.

5.7.2 - Required Landscaped Areas

Location:

Surrounding parking lots and non-residential uses (including buildings, storage and all activity areas), in Residential Zones.

Parking lot islands, and adjacent to paved parking, in all Zones.

Bank slopes within and adjacent to developed areas in all Zones.

Roadsides, in all Non-Residential Zones (BC, NB, SB, OR,)

Type of Landscaping Required:

Screening or effective natural buffer, minimum depth:

- 100 feet, side and rear yards, in R-4, R-2, R-1 Zones.

- 50 feet, side and rear yards, in R-1/2, R-V Zones. Open landscaping or screening, min. 25 feet, all front yards (See Section 5.1.4.)

Shade trees at average spacing of 30 to 40 feet, plus appropriate open landscaping or natural buffer

Slope Plantings.

Shade trees at average spacing of 50 feet, plus appropriate open landscaping or natural buffer

continues

DEVELOPMENT STANDARDS

5.7 Landscape Requirements

5.7.2 - Required Landscaped Areas - continued

Adjacent to Residential
Zone boundary lines, in
all Non-residential Zones
(BC, NB, SB, OR,).

Screening at least 25 feet in
depth, or effective natural
buffer at least 50 feet in
depth, or combination of both.

Front, side and rear
yards, wherever visible
from roadways or avail-
able for planting, in all
OR, BC, NB, and SB Zones.

Open landscaping, natural
buffer, or combination of both.

5.7.3 - Suitability of Plantings

Plantings chosen must be well suited to environmental
conditions, properly installed and located to serve
intended purposes (see Section 5.7.1).

Placement of plantings shall not interfere with safe
visibility at road intersections or exit driveways, nor
cast dense winter shadows on potentially icy roadways.

5.7.4 - Maintenance

The owner of the site shall be responsible for proper
maintenance of all plantings and other installed
landscaped features as shown on the approved site plan,
and for replacement of such in event of its demise or
destruction.

The Commission may require a performance bond, to remain
in effect at least three years, to assure the proper
survival or replacement of plantings and landscaping
shown on the approved site plan.

5.8 Protection of Historic Landmarks

Historic sites, structures and landmarks contribute signi-
ficantly to Redding's civic and residential values, and shall
be preserved wherever possible.

DEVELOPMENT STANDARDS

5.8 Protection of Historic Landmarks

5.8.1 - Landmark Defined

A Town Landmark shall be any building, structure, group of structures, natural feature or site of land which is determined by the Commission, on the basis of reasonable evidence or competent testimony, to possess significant historic, architectural or archaeological value for the Town of Redding or its larger environs.

5.8.2 - Preservation By Design

In reviewing any site plan, as provided by Section 5.2 of these Regulations, the Commission may require that qualifying features be designed on the plan as Town Landmarks (see Section 5.8.1), and be preserved through harmonious design.

The Commission may additionally require that all new structures and uses in close proximity to a Town Landmark shall be architecturally compatible with the preserved Landmark, in their exterior appearance, and shall provide sufficient open space and landscaping adjacent to the Landmark to preserve its character.

5.8.3 - Special Town Landmark Status

Where the Commission determines that a Town Landmark cannot reasonably be maintained or preserved on its present site, by reason of the requirements of these Regulations, it may, on application of the owner as provided in Section 5.1, grant a special permit which establishes a special set of regulations and standards applicable only to the designated Town Landmark and its immediate site area. Such special regulations shall recognize the unique character of the Landmark, shall require its faithful preservation, and may waive prescribed standards of the site area, dimension and coverage as necessary to assure the Landmark's survival and appropriate use, but shall not authorize any adjustments which would be deleterious to its neighborhood.

The purpose of each Special Town Landmark designation shall be to encourage the sound preservation of historic sites and landmarks in coordination with reasonable use and development of land.

DEVELOPMENT STANDARDS

The following text changes became effective 6/22/95:

5.9 Signs

5.9.1 - Standards Governing All Signs

Exterior signs, in all Zones, shall observe the following requirements (see definition of "sign", section 8.1.228):

(The balance of section 5.9.1 remains unchanged.)

- (a) The location of each sign shall be limited to the premises it identifies or serves. No off-premises signs are allowed, except as provided under Sections 5.9.2 (a) and (g).
- (b) The area of the sign shall comprise the entire surface area (all faces) on which the message is inscribed.
- (c) The number of faces, or separate message-bearing surfaces, is limited to two (2) per sign.
- (d) The height of a sign shall be measured from finished grade at the base of its supporting structure to the highest part of the sign.
- (e) Illumination of signs, where permitted, shall be low-intensity lighting confined to the surface of the sign, designed so that no direct sources of illumination are visible. No sign shall result in glare or reflections visible off the premises. Signs of moving, flashing, intensely glowing (such as neon) or highly reflective character is prohibited.
- (f) Signs mounted on buildings shall not extend above the principal eave line, nor extend outward more than four (4) feet from the face wall of the building.
- (g) Free-standing signs shall be located inside the front lot line, in a position which will not interfere with street or driveway visibility. No private sign shall be mounted on or extend into a public right-of-way (except postal boxes located in accordance with postal regulations).
- (h) Portable signs are limited to the following:
 - an identification logo or company nameplate permanently affixed to a vehicle in daily use away from the premises where it is stored; and
 - continues

DEVELOPMENT STANDARDS

5.9 Signs

5.9.1 - Standards Governing All Signs - continued

- a temporary sign, as permitted by Sections 5.9.2 (f) and (g).
- (i) Advertising signs and billboards are prohibited in all Zones, except as provided in Section 5.9.3 (c).
- (j) The use of signs, except as provided in Section 5.9.3 (c), shall be limited to one of the following for each sign:
 - public safety information, as provided in Sections 5.9.2 (b) and (c);
 - private property protection, as provided in Section 5.9.2 (d);
 - temporary sales and special events, as provided in Sections 5.9.2 (f) and (g); or
 - identification of the name and permitted activity of an occupant of the premises. Such "permitted activity" shall describe only the general class of business, product, profession or trade - such as "pharmacy", "baked goods", "architect", or "cabinet maker", and shall not include promotional advertising messages or slogans. Artistic symbols or traditional emblems (e.g., shoemaker's boot or barber's pole) may be a part of a permitted sign. See Sections 5.9.2, 5.9.3, and 5.9.4.

5.9.2 - Signs Permissible In All Zones

The following signs are permitted by right (no permit required) in all Zones, with limitations noted:

- (a) An identification sign indicating the name of the resident, the name of the property, or the address, not exceeding one (1) square foot in area per each sign face, located within ten (10) feet of the entrance lot.
 - (b) Private property posting or warning signs (such as "no trespassing" or "police protected"), non-illuminated, maximum of one sign along each 100 feet of property boundary or fraction thereof.
- continues

DEVELOPMENT STANDARDS

5.9 Signs

5.9.2 - Signs Permissible In All Zones - continued

- (c) Essential traffic control, emergency information, construction, road name, and directional signs erected by State and Town traffic authorities.
- (d) Necessary traffic and parking control signs in private roads and parking facilities, not exceeding four (4) square feet in area for each sign face.

The following signs are permitted in all Zones, subject to a Certificate of Zoning Compliance (see Section 6.3), with limitations noted:

- (e) An identification sign indicating a permitted home occupation, bed and breakfast establishment*, or professional office; conforming to side yard setback requirements, maximum area of six (6) square per sign face, maximum height of eight (8) feet, and one sign per lot.
- (f) A temporary sign indicating a permitted special event or seasonal home occupation occurring on the same premises, such as "For Sale", "For Rent", "Building Fund Drive", "Contractor", "Tag Sale", "Horse Show", "Church Fair", "Auction", "Fresh Produce", "Christmas Greens", "Seasoned Firewood", "Summer Day Camp", and the like; sign not illuminated, maximum: area of six (6) square feet per sign face, height of eight (8) feet, one sign per lot. The sign shall be removed within 24 hours of completion of the construction, sale, rental, or scheduled event.
- (g) Temporary directional signs marking the route to permitted special events, such as church fairs, benefit dinners for civic organizations, public events, and tag sales (see Section 5.11); signs not illuminated, maximum: area not exceeding six (6) inches by eighteen (18) inches each, height of eight (8) feet, four signs off the premises at approved locations. All signs shall be removed within 24 hours after the permitted special event.

continues

DEVELOPMENT STANDARDS

5.9 Signs

5.9.3. - Signs in Business Zones

The following signs are permitted only in HVC, BC, NB, and SB Zones, subject to a Certificate of Zoning Compliance (see Section 6.3), with limitations noted:

- (a) One exterior* sign per business establishment or tenant, limited to an aggregate sign area (including all faces) not exceeding one (1) square foot of sign area per each four (4) lineal feet of front building facade. Maximum sign height: twelve (12) feet. Location must conform to side yard setback requirements.
- (b) Where a site contains four or more separate business establishments, there may be one (1) additional business sign, free standing, with a maximum area of eighteen (18) square feet, announcing only the name of the complex and listing the names of the occupants therein. Where such additional sign is used, each individual occupant shall be limited to one single-faced sign mounted on and facing outward from the building facade within the area limitation stated in this Section.
- (c) One interior* placard or neon* advertising sign displayed in window of a business establishment, not exceeding 50% of the area of the sign permitted in section 5.9.3 (a), containing replaceable exhibits which advertise merchandise, services, or special events at the establishment in which the sign is displayed.

5.9.4 - Signs In Office and Research Park Zone

The following signs are permitted only in OR Zone subject to site plan approval by the Commission in accordance with Sections 4.4 and 5.2, with limitation noted:

- One free-standing sign for each firm or corporate tenant, limited to announcing the company name, in a location shown on the site plan, not exceeding an area of eighteen (18) square feet on each of two faces nor a height of ten (10) feet, in conformity with all side and rear setback requirements, and in a landscaped setting. In addition, directional signs not exceeding nine (9) square feet in area
continues

DEVELOPMENT STANDARDS

5.9 Signs

5.9.4 - Signs In Office and Research Park Zone - continued

and eight (8) feet in height for each sign may be established to identify particular buildings or parking areas, as approved by the Commission.

5.10 HOME ENTERPRISES

Accessory home enterprises are limited to those uses specifically authorized by Sections 4.2.2 (a) through 4.2.2 (d) inclusive. Any case in which the permissibility of a home enterprise is in doubt shall require explicit approval by the Commission.

Such uses shall be in harmony with the residential character of the community - in exterior appearance, cleanliness, quietness, and absence of any factors creating pollution or nuisance.

In addition to other requirements of these Regulations (see, in particular, Sections 3.7 and 5.3), no more than one accessory home enterprise shall be permitted on a site, and it shall meet the following standards:

- (a) All activities shall be conducted within a single building on the site, either a portion of the principal dwelling or an accessory building;
- (b) The total floor area used for the home enterprise shall not exceed an area equal to 25% of the floor area devoted to residential use (excluding attics, basements, garages, lofts, porches and other uninhabited spaces) in the principal dwelling;
- (c) The proprietor of the home enterprise shall reside on the premises. Employment on the site shall be limited to residents of the premises and not more than three (3) non-resident employees or associates at any given time of day;
- (d) Hours of operation shall be limited to the period extending from 7:00 a.m. to 8:00 p.m. on weekdays, and 9:00 to 6:00 on weekends;
- (e) Materials and equipment used shall be limited to those items normally incident to residential occupancy, to office use, and to those arts, crafts and trades specifically enunciated in Section 4.2.2 (c) and (d);
- (f) There shall be no sale, or display for sale, of goods not made on the premises;
- (g) There shall be no outdoor storage of materials, equipment, vehicles or products in any way associated with the enterprise;

continues

DEVELOPMENT STANDARDS

5.10 HOME ENTERPRISES - continued

- (h) Traffic generation shall not exceed 20 vehicle trips per day, for traffic related to the home enterprise (see definitions, Section 8.1.275). Parking shall be provided as required by Section 5.6;
- (i) No more than three (3) commercial vehicles may be stored on or operated from the site of a home enterprise, and these shall be garaged at all times when on the site (see Sections 3.8 and 8.1.33).

Where the particular use qualifies as a customary home occupation (see definitions, Section 8.1.39) which employs only residents of the premises, and is confined solely to an existing dwelling, no permit shall be required. All other accessory home enterprises shall require a Certificate of Zoning Compliance as provided by Section 6.3, and a site plan approved by the Zoning Commission in the same manner as provided by Section 5.2.

5.11 TAG SALES, AUCTIONS AND FAIRS

5.11.1 - Auctions and Tag Sales

Subject to the issuance of a temporary Certificate of Zoning Compliance (see Section 6.3), the owner of any premises may conduct thereon an auction or tag sale (see definitions, Sections 8.1.17 and 8.1.250) provided:

- (a) No more than one such event shall be held on the premises in any one calendar year;
- (b) Satisfactory arrangements shall be made to accommodate all traffic and parking needs;
- (c) Noise from loudspeakers and other sources, if any, shall not be of such volume as to cause annoyance to nearby residents;
- (d) The permitted event shall be responsibly supervised at all times;

continues

DEVELOPMENT STANDARDS

5.11 Tag Sales, Auctions and Fairs

5.11.1 - Auctions and Tag Sales - continued

- (e) Signs shall be limited as provided in Section 5.9.2 (f).
- (f) Hours of operation shall be limited to daylight hours.
- (g) The duration of the event shall be limited to three (3) consecutive days.
- (h) Goods sold shall be limited to second-hand household effects and other personal property, all of which have been in active use on the premises of the sale for at least six (6) months (based on an owner's affidavit filed with the Zoning Inspector).

Subject to the issuance of a temporary Certificate of Zoning Compliance, a neighborhood auction or sale of personal goods conducted jointly by not more than four (4) abutting property owners may be authorized for the premises of one of the owners, provided each participating owner:

- (i) co-signs the application, agreeing to be bound by conditions (a) through (g) above, inclusive;
- (j) furnishes an affidavit attesting that all goods to be sold have been in use on that owner's premises for at least six (6) months; and
- (k) voluntarily waives all rights to an individual public sale on his or her own property for the following twelve (12) consecutive months.

5.11.2 - Fairs

Subject to a limited-duration Special Permit granted by the Zoning Commission (see Section 5.1), the owner or lessee of any premises may conduct thereon a public fair (see Definitions, Section 8.1.60) in accordance with the following requirements:

- (a) The restrictions stated in Section 5.11.1, (a) through (f) inclusive, shall apply.

continues

DEVELOPMENT STANDARDS

5.11 Tag Sales, Auctions and Fairs

5.11.2 - Fairs - continued

- (b) Goods sold shall be limited to home-made products, farm produce, and handicrafts produced in the local community, to artwork, books, antiques and second-hand goods, to articles donated to the sponsoring organization, to food and beverages served to those attending, and raffle or sale goods from which the major proceeds directly benefit a non-profit civic, religious or service organization.
- (c) Activities to be conducted as part of the fair require Commission approval. For this purpose, a complete description of planned activities, schedules, operating hours, expected attendance, traffic and parking control, noise abatement, sanitation provisions, police, fire and ambulance access, and responsible personnel shall accompany the application.
- (d) The duration of the event shall not exceed five (5) consecutive days.
- (e) Restrictions on site use and activities may be imposed by the Commission as necessary to insure compliance with the standards of these Regulations.
- (f) A periodic public fair, approved as a limited-duration Special Permit by the Zoning Commission under the procedure outlined in this section, may subsequently be approved by the Commission upon the recommendation of the Zoning Enforcement Officer that such public fair is substantially the same as that which had been approved. The owner or lessee shall, under such circumstance, furnish to the Zoning Enforcement Officer a written statement that the public fair is substantially the same as that which had been approved.

In lieu of Sections 5.1.1 and 5.1.2, application shall consist of an accurate sketch plot plan and a letter of application providing sufficiently detailed information to satisfy the requirements of this Section and of Section 5.1.3 of the Regulations. Within its discretion, the Commission may waive the fees and public hearings prescribed by the Regulations.

DEVELOPMENT STANDARDS

5.12 Accessory Residential Apartments

Accessory apartments, where deemed permissible by the Commission, shall be designed to meet the special housing needs of resident small-household groups such as the elderly, handicapped, widowed, childless couples and civil servants.

5.12.1 - Special Permit Required

One accessory residential apartment (see Definitions, Section 8.1.11) may be permitted on a lot, subject to a Special Permit granted by the Commission.

5.12.2 - Application Format and Findings

In lieu of Section 5.1.1, application shall consist of:

- (a) application form and fee, as prescribed by Commission;
- (b) plot plan, consistent with requirements of Section 6.2, showing the proposed apartment, water supply and septic system, parking facilities and other requirements;
- (c) floor and building plan of the apartment unit, to establish compliance with Section 5.12.3;
- (d) names and addresses of all current property owners within 500 feet of the property; and
- (e) any other data the Commission determines necessary findings required herein.

Notice, public hearing and procedures shall be in accordance with Section 5.1.2.

Before granting any Special Permit for an apartment, the Commission shall find that all requirements of this Section (5.12) and of Sections 5.1.3 (b) through 5.1.3 (f) are satisfied.

5.12.3 - General Requirements

An accessory residential apartment, whether attached or detached, shall comply with each of the following requirements:

- (a) The owner of the premises shall be resident in the principal dwelling throughout the duration of the apartment use. continues

DEVELOPMENT STANDARDS

5.12 Accessory Residential Apartments

5.12.3 - General Requirements - continued

- (b) Gross (total) floor area of the apartment shall be not less than 300 square feet nor more than 600 square feet.
- (c) The apartment shall contain its own kitchen (see Definitions, Section 8.1.118), its own bathroom, its own exterior entrance, its own parking spaces (see Section 5.6), and its own electric service and available telephone connection.
- (d) The apartment shall contain not more than one (1) bedroom or sleeping unit.
- (e) Adequate heat, ventilation, fire exits, water supply and sanitary waste disposal shall be provided consistent with applicable Town and State Codes, as evidenced by the written approval of the Town's Building Official and Sanitarian.

5.12.4 - Attached Apartments

An attached residential apartment shall meet each of the following criteria:

- (a) incorporated within, or structurally integrated into, a single-family dwelling in existence on the date of application;
- (b) located on a conforming lot and in compliance with all setback, height and coverage limitations prescribed for the Zone in which it is located; and
- (c) comprising no more than 450 square feet of floor area added to the dwelling for apartment purposes.

A detached residential apartment - any apartment unit not incorporated into the principal dwelling on the site - shall meet each of the following criteria:

- (a) located on a lot not less than fifty percent (50%) larger than the minimum area specified for the Zone in which it is located; and
- (b) conforming to side yard and rear yard setbacks twice those minimum yards specified for the Zone in which it is located; and continues

DEVELOPMENT STANDARDS

5.12 Accessory Residential Apartments

5.12.5 - Detached Apartments - continued

- (c) provided with its own sanitary sewage disposal system and reserve area, separate from those serving the principal dwelling, except where a system designed to serve both dwellings is found preferable and is approved by the Town Sanitarian.

5.12.6 - Duration of Permission

A special permit for an accessory residential apartment shall automatically expire:

- (a) six (6) months from its signed approval by the Commission unless issued a Certificate of Zoning Compliance (see Section 6.3);
- (b) thirty-six (36) months from its Certificate of Zoning Compliance unless renewed as provided below;
- (c) whenever the premises change ownership, unless renewed as provided below, and
- (d) for any violation of these regulations or the Commission's specified conditions of approval, on written notification by the Commission.

A special permit granted under this Section, and still in effect, may be renewed by the Zoning Officer for a new 36-month period provided application for such is made to the Zoning Officer at least 30 days prior to the expiration date, and inspection by the Zoning Officer discloses satisfactory compliance with all requirements of the existing permit.

5.13 Special Residential Complex

Within the Village Residential (RV) and Neighborhood Business (NB) Zones only, and as provided in Section 4.2.3 (e) for public housing, subject to a Special Permit granted by the Commission in accordance with Section 5.1, a special multiple-unit residential complex may be established on a qualified site. Such complex may include one or more residential apartments, condominiums, duplexes, single-family dwellings, town houses, special elderly housing or other residential units conforming to the standards of these Regulations.

In addition to the required findings of Section 5.1 and the standards specified by Section 4.6, the following requirements shall govern any special residential complex.

DEVELOPMENT STANDARDS

5.13 Special Residential Complex

5.13.1 - Site

At least 75% of the designated site shall be comprised of land which is not steep slope (20% slopes or greater), wetland, water body or flood plain (see Definitions, Section 8.1.70, 8.1.280, 8.1.285). Where steep slope, wetland, water body or flood plain occur within a site, such ~~an~~ land shall not be used for building or sewage disposal areas. Site layout and design require Commission approval as provided by Sections 5.1 and 5.2.

5.13.2 - Water Supply and Sewage Disposal

A domestic pure water supply system, and a sanitary sewage disposal or treatment system completely in accordance with State "Class A" water standards and Town Health regulations shall be professionally engineered to a capacity in excess of the peak demand of all residents of the residents of the complex. The owner or owners shall be required to file with the Town an enforceable covenant guaranteeing to properly maintain such facilities, in accordance with their engineered design, at all times at no expense to the Town.

5.13.3 - Maximum Density

There shall be not more than one residential dwelling unit for each 8,000 square feet of site area, except as follows. Where residential units are specially designed for senior residents only, and the owner covenants with the Town to limit occupancy of each residential unit to not more than two (2) persons, each of whom is 60 years of age or older, the Commission may allow such residential units at a density of one unit for each 5,000 square feet of site area, provided all other standards of Section 5.13 are met.

5.13.4 - Parking

Two (2) on-site parking spaces are required for each dwelling unit; except that the Commission may reduce this requirement to 1.5 parking spaces per dwelling unit where a residential complex is restricted to senior residents only. Parking layout, design and landscaping shall fully conform to the requirements of Sections 5.6 and 5.7.

DEVELOPMENT STANDARDS

5.13 Special Residential Complex

5.13.5 - Utilities

Electric and telephone lines shall be installed underground, and other utility features located and screened as required for safety and protection of adjacent residential values.

5.13.6 - Buildings

The location, placement and design of all buildings shall require Commission approval as provided by Section 5.2. Buildings shall comply with all structural and fire safety codes which apply. The exterior design of all buildings and structures in this case (multiple-unit residential) shall be in architectural harmony with other classes of residential structure in the neighborhood, or densely screened on all sides, so as to protect adjacent property values.

5.13.7 - Open Space

Not less than 65% of the site shall be retained in a fully landscaped, open condition (planted or naturally wooded, not paved), in accordance with landscaping details shown on the site plan approved by the Commission. At least one (1) suitable shade tree shall be provided or preserved and protected for each 2500 square feet of site area (see Section 5.7).

5.14 Farms, Produce Stands, Animal Operations

Farming and animal husbandry are established elements in Redding's rural residential character, and therefore desirable to preserve insofar as they contribute to open space, food production and community values. Such activities, however, shall not be conducted so as to cause injury to the health, safety or property values of neighbors or the community.

5.14.1 - Uses by Right (No Permission Required)

Land within all zones may be used for farming (definition, Section 8.1.64), forestry (definition, Section 8.1.82) and horticulture (definition, Section 8.1.95). Within Residential and OR Zones the following limitations on such uses apply:

- (a) Retail sale of produce shall consist only of native flowers, fruits, vegetables, herbs, plants, wine, continues

DEVELOPMENT STANDARDS

5.14 Farms, Produce Stands, Animal Operations

5.14.1 - Uses by Right (No Permission Required) - continued

juices, honey, maple syrup, nuts, shrubs, Christmas trees, seasonal boughs or arrangements, firewood, hay, grain and animal products raised, processed and sold on the premises by the residents of said premises. Incidental containers (bags, boxes, bottles, jugs, pots, trays, etc.) necessary for packaging of retail produce may be used. For the purpose of this Section, "premises" means any land owned or leased and devoted to agricultural production by the seller of produce, who shall reside on the site of such sales.

- (b) Processing for sale of produce, whether retail or wholesale, shall meet the criteria for customary home occupation (Section 8.1.39).
- (c) Forestry does not include unrestricted land clearing; see Sections 5.5.1 (b) and 5.14.2.
- (d) Additional limitations apply to certain uses; see Sections 5.14.2 through 5.14.6 inclusive.

5.14.2 - Uses Which Require Management Plan

Within Residential and OR Zone, the following activities require a Land Management Plan approved by the Zoning Commission, as provided in Section 5.14.3:

- (a) Intensive land clearing, timber or wood harvesting operations in which more than one (1) acre of a woodland tract is cleared in any consecutive twelve-month period (see Definitions 8.1.290).

continues

DEVELOPMENT STANDARDS

5.14 Farms, Produce Stands, Animal Operations

5.14.2 - Uses Which Require Management Plan - continued

- (b) Animal raising operations in which the number of animals kept in any of the following categories exceeds the limit stated for that category:

<u>Animal Category</u>	<u>Animals Per Lot</u>	<u>Animals Per Site Area</u>
Horses, ponies, mules, donkeys, cattle, oxen	2, and	1 per each 0.8 acre
Sheep, goats, swine	5, and	1 per each 0.4 acre
Poultry (all types)	50, and	10 per each 0.2 acre

Others exceeding mature weight of 50 pounds: Permission to be determined by the Commission.

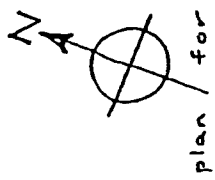
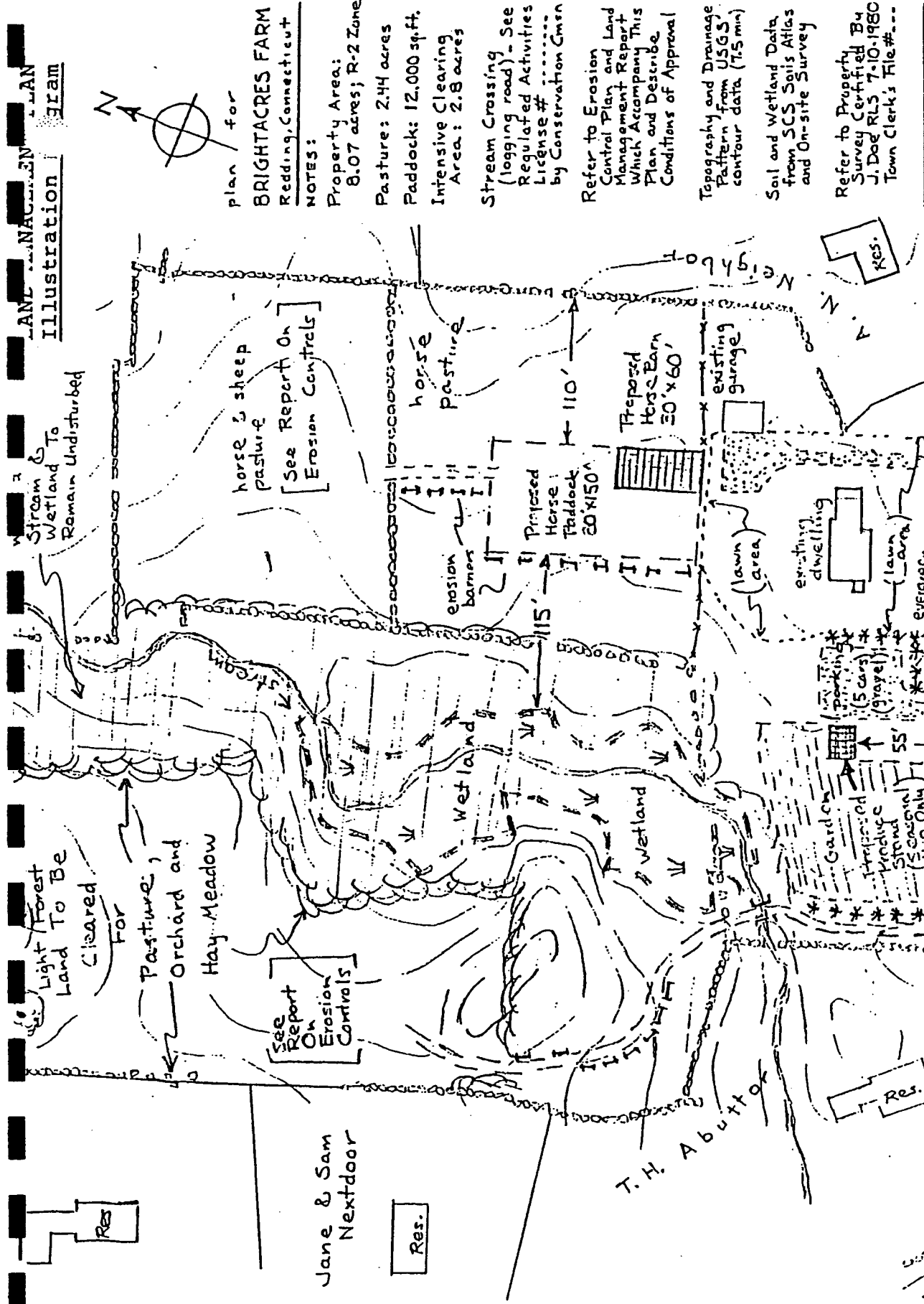
Site area refers to the total land area reserved exclusively (such as pasture, paddock, range or forage area) for each of the respective Animal categories above. Animals shall be counted from six (6) months of age and older, and birds from three (3) months of age and older.

5.14.3 - Land Management Plan

The Land Management Plan shall consist of a map of the site and its immediate environs, showing the extent of the proposed operations, approximate slopes and drainage patterns, general location of streams, wetlands, buildings, fencelines and roadways, and shall be accompanied by a written description which explains in detail how the operations shall be conducted, parties responsible, and demonstrates that sound land management practices will be adhered to consistent with Section 5.3 hereof. A public hearing is not required; such plan may be reviewed at any Commission meeting. (See illustrative diagram on page 108).

continues

ANL NACEN PLAN Illustration of Farm



plan for

BRIGHTACRES FARM
 Redding, Connecticut

NOTES:

Property Area:
 8.07 acres; R-2 Zone

Pasture: 2.44 acres

Paddock: 12,000 sq.ft.

Intensive Clearing
 Area: 2.8 acres

Stream Crossing
 (logging road) - See
 Regulated Activities
 License #
 by Conservation Comm.

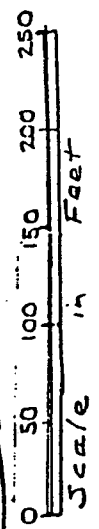
Refer to Erosion
 Control Plan and Land
 Management Report
 Which Accompany This
 Plan and Describe
 Conditions of Approval

Topography and Drainage
 Pattern from USGS
 contour data (7.5 min)

Soil and Wetland Data
 from SCS Soils Atlas
 and On-site Survey

Refer to Property
 Survey Certified By
 J. Dod RLS 7-10-1980
 Town Clerk's File #...

T. Square & Assoc.
 Engineers / Planners
 March 31, 1986



Approved By
 Redding Zoning Comm
 Chairman _____ date _____

DEVELOPMENT STANDARDS

5.14 Farms, Produce Stands, Animal Operations 5.14.3 - Land Management Plan - continued

Where it is satisfied no adverse impact will result to the site or adjacent area, the Commission may approve, or modify and approve with conditions required to protect the environment of the site, such plan at any regular meeting.

Where such finding cannot be made, the Commission shall direct the applicant to resubmit the proposal pursuant to the requirements of Section 5.14.7.

5.14.4 - Uses Subject to Special Permit

Within Residential and OR Zones, the following uses require a Special Permit granted by the Zoning Commission (see Sections 5.14.6 and 5.14.7):

- (a) Retail sales buildings, in excess of five hundred (500) square feet of floor space devoted to such use (including incidental storage).
- (b) Buildings and operations in which processing of produce occurs, in excess of eight hundred (800) square feet of floor space devoted to such use (including incidental storage).
- (c) Shade houses and greenhouses in excess of two thousand (2000) square feet of ground coverage.
- (d) Outdoor sales gardens and yards in which packaged produce is arranged in display for purchase, in excess of one-half (1/2) acre of area.
- (e) Saw mills, machine shops, and other mechanical equipment buildings or installations, which exceed five hundred (500) square feet floor area or located within 200 feet of any lot line.

5.14.5 - Special Prohibitions

The following activities may not be considered part of an agricultural use as permitted herein, and are expressly prohibited in all Residential and OR Zones:

- (a) Commercial slaughter house, inorganic fertilizer manufacture, and storage of herbicides and pesticides beyond those directly used on the premises.

DEVELOPMENT STANDARDS

5.14 Farms, Produce Stands, Animal Operations

5.14.5 - Special Prohibitions - continued

- (b) Commercial production of animals yielding fur pelts, except rabbits.
- (c) The keeping of any animals or birds in such manner that incessant annoyance is caused to a neighbor by reason of continuous odors, noise, pollution or trespass.
- (d) Noise, odors, or contamination of air or water; as regulated by Section 5.3.

5.14.6 - Site Requirements

All uses permitted by Sections 5.14.1 through 5.14.4 shall meet the following standards:

- (a) Animal Barns and Pens - Barns, coops, stables, barnyards, exercise pens, riding rings, and other structures for housing or close confinement of animals or birds shall be set back at least fifty (50) feet from all watercourses and from all side and rear lot lines; except that where a Land Management Plan is required, the Commission may require up to 100 feet of setback, or intensive screening, or both, where necessary to protect adjoining property. A "riding ring" is an open-air enclosure, smaller than one-half acre in area, which contains a track or constructed path designed for exercise, training or exhibition of riding animals. Densely vegetated pasture, if securely fenced, does not require a setback.
- (b) Mechanical Equipment - All fixed machinery and mechanical processing operations (where permitted), such as accessory workshops, generators, sawmills, coolers, shredders, and the like, shall have effective noise baffling and be set back at least 1.5 times the specified building setback.
- (c) Major Structures - Any barn, greenhouse, shed, structure or group of structures exceeding 2,500 square feet in gross ground coverage shall be set back at 100 feet from all side and rear lot lines, or effectively screened as required to protect adjacent properties.

continues

From
Health
Dept.

THE LAND THE WATER

THE CONSERVATION DISTRICT

Connecticut's eight Soil and Water Conservation Districts are non-profit, quasi-governmental agencies established by state law in 1946 to plan, coordinate, and advise on soil and water conservation efforts in the county. Such districts exist throughout the entire United States.

The District is unique in that it can serve any landowner, municipality, organization, or business requesting help in site analysis, soils interpretations, land use planning and water management. The District responds to problems associated with erosion and sediment control, drainage, and flooding.

For the horse owner, the District can

- Advise on land drainage, and ground and surface water control.
- Review site plans for environmental impact and permit requirements.
- Advise on controlling erosion from horse sites.
- Recommend acceptable manure management practices.
- Provide technical assistance from USDA Soil Conservation Service and the Connecticut Department of Environmental Protection.



Planning a manure storage facility.

FAIRFIELD COUNTY
SOIL AND WATER CONSERVATION DISTRICT
ROUTE 6
BETHEL, CONN. 06801
(203) 743-5453

sition, obstruction, construction, alteration, and pollution of wetlands. **Wetlands** are defined by soil type, designated poorly drained, very poorly drained, alluvial, and flood plain by the Soil Conservation Service. The law defines **watercourses** as all rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, and bogs.

If you are having or anticipate having difficulty meeting environmental regulations, or if you have been cited for violation already, it is possible your Conservation District can help you remedy your problem or achieve regulatory compliance.



Sediment in road from unstabilized horse site.

WHY THE HORSE OWNER CARES

Close association with animals and an interdependent relationship with the land have traditionally made the horse owner an environmentally-aware person.

Good erosion and sediment control and good manure management not only comply with environmental laws, but also increase the land's value, maintain an esthetic appearance, and encourage community good will.

Regulatory compliance, prompt diagnosis, and early remedy of land problems save the later heavy expense of land reclamation.

The horse owner with plans or problems should turn first to the County Soil and Water Conservation District.



AND YOUR HORSE

DEVELOPMENT STANDARDS

5.14 Farms, Produce Stands, Animal Operations

5.14.6 - Site Requirements - continued

- (d) Produce Stands - Where allowed by Special Permit, any retail sales building, display area or vehicle parking shall be set back at least 100 feet from all side and rear lot lines, and shall be effectively screened from visibility from such lines.
- (e) Manure and Pesticides - All toxic chemicals shall be stored in proper containers, under cover, as required by applicable State codes, and shall further observe setbacks from wetlands and watercourses prescribed for structures by the Town Inland/Wetland and Watercourse Regulations.
- (f) Soil Erosion - Pasture, tillage, animal pens, lanes and other activity areas shall be maintained at all times in a non-eroding condition in compliance with Section 5.4.

5.14.7 - Special Permits

For those uses requiring a Special Permit (see Section 5.14.4), application (in lieu of Section 5.1.1) shall consist of:

- (a) application form and fee, as prescribed by the Commission;
- (b) a general site plan showing: lot lines; abutting owners and roads; watercourses; wetlands; topography at ten (10) feet contour intervals; existing and proposed buildings, structures, pens, storage, sales and activity areas; utility lines; waste disposal areas; screening; and requisite setback areas; limited to the immediate portion of the site proposed for development or use;
- (c) names and addresses of all current property owners within 500 feet of the property; and
- (d) any other data necessary for findings required herein.

Notice, public hearing and procedures shall be in accordance with Section 5.1.2.

Before granting a Special Permit under this Section, the Commission shall find that all requirements of Sections 5.1.3 and 5.14.4 through 5.14.7 inclusive are satisfied.

DEVELOPMENT STANDARDS

5.15 Wind Energy Conversion Systems

Subject to the issuance of a Special Permit as provided by Section 5.1, a wind energy conversion system (WECS) may be established on any site in accordance with the following restrictions (see Definitions, Section 8.1.288):

- (a) No WECS may be located within 250 feet of a dwelling, an electric transmission line, or any other WECS. Not more than one WECS shall be established on any site.
- (b) The maximum height of any supporting tower shall be 160 feet. The maximum diameter of any WECS rotor shall be 35 feet. Minimum ground clearance for the rotor shall be 25 feet.
- (c) The minimum setback of a WECS and its supporting tower (except guy wires), from all lot lines, shall be as follows (all dimensions in feet):

Rotor							
Diameter	1-5	10	15	20	25	30	35
Required							
Setback	100	165	220	270	310	340	365

except that setback shall in no case be less than twice (200%) the height of the tower. Where the rotor diameter falls between values given above, the required setback shall be adjusted in direct proportion. Guy wires, accessory buildings and enclosing fences may, however, observe the standard setbacks prescribed by Section 4.6 hereof.

- (d) The WECS, including its supporting structure or tower, all guy wires and other components parts, shall be securely anchored in firm ground in accordance with a plan designed by a registered professional engineer and certified by the engineer to be capable of withstanding wind velocities of 150 miles per hour. Actual installation of the WECS shall be supervised by a qualified professional engineer and certified safe in all aspects of construction and operation before any certificate of zoning compliance may be issued.
- (e) Each WECS shall be equipped with both manual and automatic controls to prevent rotor over-speed. The maximum permitted sound level, with rotor(s) operating at peak r.p.m. speed, shall be 10 decibels for all octave bands at 200 feet from the tower (see Section 5.3.5).

continues

DEVELOPMENT STANDARDS

5.15 Wind Energy Conversion Systems - continued

- (f) Security for the WECS shall be provided by a permanent locking-gate fence, at least 6 feet in height, completely enclosing the WECS structure and all accessory buildings at a distance of at least 10 feet from such structures. "Danger, High Voltage" signs shall be prominently posted on the fence. All guy wires shall be designed to prevent tampering and located away from traffic areas.
- (g) Written evidence shall be presented at the hearing on the application, which demonstrates that the proposed WECS will fully comply with all applicable requirements of the Federal Aviation Administration, the Federal Communications Commission, and State building and electrical codes. In the event that radio or television broadcast interference results from a WECS, the WECS will be judged in violation of these regulations.
- (h) Specified approval of any planned interconnection of the WECS with a local electric utility grid, in writing from the appropriate utility, shall be submitted at the application hearing.
- (i) Each WECS application shall include proof of adequate liability insurance.

5.16 Satellite Dish Antennae

A dish Antennae (see Definition, Section 8.1.42) shall be considered a structure and shall require a zoning permit and compliance with all applicable building regulations. Such antenna shall also comply with all height and setback requirements specified by these Regulations for the Zone in which it is located.

If a dish antenna is free-standing, it shall be effectively screened from off-premises view. The placement of the antenna, and any screening which accompanies it, shall be such that there will be no interference with requires sight-lines for traffic safety, with utility lines, or with radio or television reception.

Each dish antenna shall be of a type and design which conforms to Federal Communications Commission requirements and to standards of any other regulatory agency exercising jurisdiction.

DEVELOPMENT STANDARDS

5.17 Nonconforming Sites and Uses

If a lot, building, structure, or use of a site was lawfully in existence on the effective date of these Regulations* (or on the date of an amendment thereto), to the extent that such lot, building, structure or use did not then conform to these Regulations the same is deemed legally nonconforming and may be continued subject to the following provisions.

5.17.1 - Nonconforming Lot

A lawfully established lot which fails to meet the minimum lot area, minimum rectangle area, minimum lot and rectangle width, or minimum lot frontage requirements of these Regulations (see Section 4.6), is a non-conforming lot.

A Zoning Permit, or a Certificate of Zoning Compliance, may be issued for the use of any nonconforming lot provided:

- (a) such lot has been held continuously in ownership separate from all abutting land, from November 15, 1962** (or the later date when the lot first became nonconforming) to the present, as recorded in the Town Land Records; and
- (b) all other requirements of these Regulations -- including use, setbacks, building height and coverage, yard spaces, impervious area and other standards -- are fully satisfied.

A nonconforming lot shall not be reduced in area, dimension or any other manner which would increase its nonconformity.

5.17.2 - Nonconforming Buildings and Structures

A lawfully existing building or structure, which fails to meet the minimum yard, setback, or parking requirements, or exceeds maximum height, coverage or impervious area limits, or otherwise fails to comply with the specified construction standards of these Regulations for the Zone in which located, is respectively a nonconforming building or a nonconforming structure.

continues

* February 1, 1986

** Date this provision of Town Zoning Regulations first became effective.

DEVELOPMENT STANDARDS

5.17 Nonconforming Sites and Uses

5.17.2 - Nonconforming Buildings and Structures - continued

A nonconforming building or structure shall not be enlarged or extended, except where the enlargement or extension is in full conformity with these Regulations.

A nonconforming building or structure shall not be converted to a new and substantially more intensive use unless the building or structure is altered to conform to the Regulations. The phrase "more extensive use" means a change in the building or structure to accommodate more persons, increase utilized floor area, or expand the volume of business (Examples: nonconforming porch or deck to interior living space; nonconforming barn to dwelling; nonconforming residence to office use; nonconforming office building accommodating 15 persons to restaurant accommodating 50 persons).

*

Reasonable repairs and alterations, which do not increase the conformity of the building or structure, or of any nonconforming use therein, may be made provided such work complies with the Regulations for all portions of the project which presently conforms.

Where a building or structure or portion thereof has been made nonconforming by the adoption of these Regulations (February, 1986) with respect to setback, the nonconforming building, or structure or portion thereof may be enlarged provided that such enlargement

- does not increase the ground coverage area of the existing building, structure, or attached porch or deck;
- does not exceed the height limit of the remainder of the existing structure or building or of these Regulations.

Examples include but are not limited to: enclosing a deck or porch; adding a second story; enclosing a balcony.

For permitted addition to a nonconforming dwelling, see Section 3.13 (e).

5.17 Nonconforming Sites and Uses

5.17.2 - Nonconforming Buildings and Structures - continued

In the event that the nonconforming building or structure is damaged or destroyed, restoration may occur as follows:

- (a) A site plan, showing the proposed restoration, shall be submitted to the Commission within 180 days of such damage or destruction, as provided in Section 5.2. Before approving any such, the Commission shall determine that the standards of Section 5.2.4 are met insofar as the owner's right to restore a nonconforming structure may allow.
- (b) Reconstruction shall be completed within 180 days of site plan approval.

5.17.3 - Nonconforming Use

Any lawful use of land or lawful use of a building, which use however does not apply with the permitted uses or permitted special uses specified by these Regulations for the Zone in which it is located, is a nonconforming use.

A nonconforming use shall not be enlarged, extended, increased in intensity, or converted to any other nonconforming use. Any increase in occupied floor area of a building, land area used, persons employed or traffic generated shall constitute evidence of such enlargement or extension.

A nonconforming use may be converted only to a conforming use. In the event a nonconforming use ceases, for any reason, for a continuous period of one-hundred-eighty (180) days or longer, the premises shall thereafter be utilized only for uses in specific conformity with these Regulations.

5.17.4 - Validation of Existing Permits

All zoning permits and special permits which were in effect on the effective date of these Regulations*, together with all requirements specified therein and all prescribed expiration dates, shall remain in full force and effect as granted.

Future permits for the same premises, however, shall conform to these Regulations.

*

February 1, 1986

THE FOLLOWING TWENTY-FIVE PAGES OF TEXT
REPRESENT AMENDMENTS TO THE ZONING REGULATIONS
ADOPTED IN JUNE 1998

THEY ARE TO BE INSERTED IN THE
REDDING ZONING REGULATIONS BOOK
BETWEEN PAGES 116 and 117 (REPLACING 116 1/3 & 116 2/3)

DEVELOPMENT STANDARDS

[Section 5.18 adopted 2/96:]

5.18 Bed and Breakfast Establishments

"Bed and Breakfast Establishments", where deemed permissible by the Commission, shall be designed to preserve older dwellings and to provide for the adaptive reuse of such dwellings.

5.18.1 - Special Permit Required

One Bed and Breakfast Establishment may be permitted on a lot subject to a Special Permit granted by the Commission.

5.18.2 - Application Format

In lieu of Section 5.1.1, application shall consist of:

- (a) application form and fees as prescribed by the Commission;
- (b) plot plan consistent with the requirements of Section 6.2 (c) showing parking facilities, septic system, and all changes to the structure and landscaping;
- (c) names and addresses of all current property owners within 500 feet of the property; and
- (d) any other data the Commission determines is necessary for findings required herein.

5.18.3 - General Requirements

A Bed and Breakfast Establishment shall comply with each of the following requirements:

- (a) the owner of the premises shall be resident in the principal dwelling or in a conforming accessory apartment throughout the duration of the permit;
- (b) the dwelling shall retain its exterior integrity, accomodate no more than five (5) guest rooms contained within the existing principal dwelling, and provide at least one full bathroom accessible for each two (2) guest rooms;
- (c) one parking space will be provided for each guest room; parking shall be inconspicuous and non-detrimental to the character of the neighborhood in accordance with 5.6.4;
- (d) one identification sign is permitted indicating the name of the establishment only; the sign shall be in accordance with Section 5.9.2 (e);
- (e) registered guests shall be provided continental or family-style breakfasts; other meals, requested by guests, may be provided;
- (f) adequate heat, ventilation, fire protection, water supply, and sanitary waste disposal shall be provided consistent with applicable Town and State codes, as evidenced by the written approval of the Town's Building Official, Sanitarian, or local Fire Marshall.

continues

5.18 Bed and Breakfast Establishments - continued

5.18.4 - Duration of Permit

A Special Permit granted under this section shall be in effect for thirty six (36) months from the effective date of the Certificate of Zoning Compliance. The Special Permit may be renewed by the Zoning Officer for a new 36-month period provided application for such is made to the Zoning Officer at least thirty (30) days prior to the expiration date, and inspection by the Zoning Officer discloses satisfactory compliance with all requirements of the existing permit.

[Section 5.19 adopted 6/98]

5.19 Wireless Telecommunications Facilities

The intent of this Section is to balance the public need for adequate wireless telecommunication service with protection for the residential character, natural and cultural environment of the Town of Redding.

5.19.1 - Types of Facilities Permitted

Subject to the granting of Special Permit, in accordance with the provision of Section 5.1 and 5.19 hereof, the following Wireless Telecommunications Facilities are permissible in all Residential Zones, and in NB, OR, and HVC Zones:

- (a) Personal Wireless Service Facilities, as defined in Section 5.19.3;
- (b) Two-way radio communication systems which link fire, police, E-911 and other emergency response or essential public services of the Town of Redding or State of Connecticut.

Subject to a public hearing and a site plan approval, in accordance with the provisions of Sections 5.2 and 5.19 hereof, Personal Wireless Service Facilities and two-way public service radio communication systems (as described in (a) and (b) above) are permissible in SB and BC Zones.

All other types of facilities for broadcasting of wireless communications are prohibited.

DEVELOPMENT STANDARDS

5.19 Wireless Telecommunications Facilities - continued

5.19.2 - Specific Purposes and Consistency with Federal Law

In addition to the general purposes of these Regulations as announced in Article II, the following specific purposes govern this Section:

- (a) To control the location of any telecommunication towers and facilities so that they do not have an adverse impact on the health, safety and property values in any residential area;
- (b) To limit the number and height of telecommunication towers throughout the community, especially by requiring multiple-user sharing of telecommunication facilities wherever possible (co-location);
- (c) To regulate the design of telecommunication towers and facilities so that they do not result in falling objects, noise, radio or television interference, nuisance or hazard;
- (d) To protect special scenic and historic areas from encroachment by inappropriate structures; and
- (e) To assure that any telecommunication sites and facilities will be planned and controlled for the least possible adverse impact on the visual and natural environment of the Town.

These regulations are also intended to be consistent with federal law, specifically the Telecommunications Act of 1996, in that:

- (a) They do not prohibit or have the effect of prohibiting Personal Wireless Service,
- (b) They are not intended to be used to unreasonably discriminate among providers of functionally equivalent services; and
- (c) They do not regulate Personal Wireless Services on the basis of the environmental effects of radio frequency emission, to the extent that the regulated Services and Facilities comply with the FCC's regulations concerning such emissions.

5.19 Wireless Telecommunications Facilities - continued

5.19.3 - Telecommunication Terms Defined

Act - The Telecommunications Act of 1996.

Adequate Coverage - Coverage is considered to be "adequate" within that area surrounding a Base Station where the predicted or measured median field strength of the transmitted signal is greater than or equal to 95 dbm for at least 75% of the intended coverage area. It is acceptable for there to be holes within the area of Adequate Coverage where the signal is less than 95 dbm, as long as the signal regains its strength to greater than or equal to 95 dbm beyond said holes. For the limited purpose of determining whether the use of a repeater (see def.) is necessary or desirable, there shall be deemed not to be Adequate Coverage within said holes. The outer boundary of the area of Adequate Coverage, however, is that location past which the signal does not regain a strength of greater than or equal to 95 dbm.

Adequate Capacity - Capacity is considered to be "adequate" if the grade of service, or "GOS" (see def.) is p.05 or better for median traffic levels offered during the typical busy hour, as assessed by direct measurement of the Personal Wireless Facility in question. The GOS shall be determined by the use of standard Erlang B calculations. As call blocking may occur in either the land line or radio portions of a wireless network, Adequate Capacity for this ordinance shall apply only to the capacity of the radio components.

Where capacity must be determined prior to installation of the Personal Wireless Services Facility in question, Adequate Capacity shall be determined on the basis of a 20% busy hour (20% of all offered traffic occurring within the busiest hour of the day), with total daily traffic based on aggregate estimates of the expected traffic in the coverage area.

Antenna - A device which is attached to a Tower (see def.) or other structure for transmitting or receiving electromagnetic waves. Examples include, but are not limited to, whip, panel, and dish antennas.

Available Space - The space on a Tower (see def.) or structure to which Antennas (see def.) of a Personal Wireless Service Provider are both Structurally Able (see def.) and Electromagnetically Able (see def.) to be attached and which is available for rental to the applicant at fair market prices and terms, and on which space and location will provide necessary coverage.

continues

DEVELOPMENT STANDARDS

5.19 Wireless Telecommunications Facilities - Continued

5.19.3 - Telecommunication Terms Defined (continued)

Base Station - The primary sending and receiving site in a wireless telecommunications network. More than one Base Station and/or more than one variety of Personal Wireless Service Provider can be located on a single Tower or structure.

Channel - The segment of the radiation spectrum from an Antenna (see def.) which carries a signal. An Antenna may radiate on many Channels simultaneously.

Co-location - The use of a single mount on the ground by more than one carrier (vertical Co-location) and/or several mounts on an existing building or structure by more than one carrier.

Communication Equipment Shelter - A structure located at a Base Station (see def.) designed principally to enclose equipment used in connection with personal wireless service transmissions.

DBM - Unit of measure of the power level of an electromagnetic signal expressed in decibels referenced to 1 milliwatt.

Electromagnetically Able - The determination that the new signal from and to the proposed new Antennas (see def.) will not significantly interfere with the existing signals from and to other facilities located on the same Tower (see def.) or structure as determined by a qualified professional telecommunications engineer. The use of available technologies to alleviate such interferences shall be considered when making this determination.

EMF - Electromagnetic Frequency, a measure of the radiation characteristics or intensity of broadcast waves emanating from a transmitter.

ERP - Effective Radiated Power.

Facility Site - Any lot or location from which existing or potential telecommunication facilities may be able to provide Adequate Coverage (see def.) and Adequate Capacity (see def.) to a significant portion of the Town of Redding. continues

DEVELOPMENT STANDARDS

5.19 Wireless Telecommunications Facilities - continued

5.19.3 - Telecommunication Terms Defined (continued)

FCC - Federal Communications Commission. The Government agency responsible for regulating telecommunications in the United States.

FCC 96-326 - A report and order which sets new national standards for Radio-Frequency emissions from FCC-regulated transmitters.

Ghz - Gigahertz: one billion hertz.

Grade of Service - A measure of the percentage of calls which are able to connect to the Base Station (see def.) during the busiest hour of the day. Grade of Service is expressed as a number, such as p.05 - which means that 95% of callers will connect on their first try. A lower number (p.04) indicates a better Grade of Service.

Hertz - One hertz is the frequency of an electric or magnetic field which reverses polarity once each second, or one cycle per second.

Major Modification of an Existing Facility - Any change in maximum power input or output and/or number of antennas and/or change in operating frequency approved under an existing Special Permit.

Major Modification of an Existing Tower - Any increase in the height of an existing and permitted Tower (see def.) or substantial modification of any structure designed to support Personal Wireless Service transmission, receiving and/or relaying antennas and/or equipment.

Mhz - Megahertz: One million hertz.

Minor Modification of an Existing WTF - Changes in an existing WTF site which do not increase Tower (see def.) or Antenna (see def.) height, increase noise levels beyond 100 feet of the Tower by 6 decibels or more, or add radio-frequency sending or receiving capability in such manner that radio-frequency electro-magnetic power density is increased to or above the State Department of Environmental Protection standard pursuant to State Statute 22a-162 as measured 100 feet beyond the Tower.

continues

DEVELOPMENT STANDARDS

5.19 Wireless Telecommunication Facilities - continued

5.19.3 - Telecommunication Terms Defined (continued)

Monitoring - The measurement, by the use of instruments in the field, of the radiation from a site as a whole, or from individual Person Wireless Service Facilities, Towers, Antennas or Repeaters (see defs.).

Monitoring Protocol - An approved testing protocol as defined in the most current FCC regulations. As of August 15, 1997 the most current practice is referenced in FCC Regulations, Title 47, Part 1, Section 1.1307 as IEEE C95.3 1991.

Monopole - A single self-supporting vertical pole without any latticework or guy wire anchors, designed to carry Antennas (see def.) or other radio transmission apparatus.

Personal Wireless Services - Commercial Mobile Services, unlicensed wireless services, and common carrier wireless exchange access services. These services include: cellular services, personal communication services (PCS), Specialized Mobile Radio Services, and Paging Services.

Personal Wireless Service Facility - All equipment and structures (including Towers-see def., buildings, utilities, and any Repeaters-see def.) with which a Personal Wireless Service Provider (see def.) broadcasts and received the radio-frequency waves which carry its services, including the Facility Site (see def.) on which located. Such equipment only, with Commission permission, may be located on a Tower or structure owned by others.

Personal Wireless Service Provider - An entity licensed by the FCC to provide Personal Wireless Services (see def.) to individuals or institutions.

Radiation Propagation Studies or Radial Plots - Computer generated estimates of the radiation emanating from Antennas or Repeaters (see defs.) cited on a specific Tower (see def.) or structure (see Section 8.1.245). The height above ground and above mean sea level, power input and output, frequency output, type of antenna, antenna gain energy dispersion characteristics, and topography of both the site and its surroundings are all taken into account to create these simulations. They are the primary tool for determining whether a site will provide Adequate Coverage (see def.) for the Personal Wireless Service Telecommunication Facility proposed at that site.

continues

DEVELOPMENT STANDARDS

5.19 Wireless Telecommunication Facilities - continued

5.19.3 - Telecommunication Terms Defined (continued)

Repeater - A small receiver/relay transmitter of not more than 20 watts output designed to provide service to areas which are not able to receive Adequate Coverage (see def.) directly from a Base Station (see def.).

Structurally Able - The determination that a Tower (see def.) or other supporting structure is capable of safely carrying the load imposed by the proposed new Antenna(s) (see def.) under all reasonably predictable conditions, as determined by profession structural engineering analysis.

Teleport - A facility utilizing satellite dishes of greater than 2.0 meters in diameter designed for two-way communications with satellites, and intended for use by multiple owners, lessees, or rental customers.

Tower - Any building, pole, monopole, structure or part thereof which is taller in its vertical dimension than in its horizontal, and which is intended or uses to support wireless telecommunication apparatus or equipment.

5.19.4 - Critereon for Site Selection

Every application for authorization of a new site for a wireless telecommunication facility shall conclusively demonstrate to the Commission's satisfaction that the proposed facility location or site is at the highest level, in order of site acceptability which follows, which would still provide Adequate Coverage and Adequate Capacity as defined above.

Site location types follow in order of declining acceptability, "Class 1" representing most acceptable and "Class 7" least acceptable.

Class 1 - Within Service Business (SB), Business Center (BC), and Office and Research Park (OR) Zones.

Class 2 - Co-location on an existing telecommunication tower or existing structure in any non-residential Zone.

Class 3 - Co-location on an existing telecommunication Tower or an existing utility pole or tower, or within an existing developed utility site (such as an electric substation or transmission line, sewage treatment plant, public works yard, sanitary landfill, but not including telephone exchange building sites) in any Zone.

continued

DEVELOPMENT STANDARDS

5.19 Wireless Telecommunication Facilities - continued

5.19.4 - Criteria for Site Selection (continued)

Class 4 - Within land owned by State, Town, municipal districts or other public agencies, except in public parks or dedicated open space preserves or within 500 feet of a school or residence, in all Zones.

Class 5 - Privately owned land, in all Zones, except as follows:

- within 500 feet of an existing residence, as developed residential lot, a designated scenic road, or a significant historic site (as determined by the Commission);
- within 200 feet of a wetland, a perennial watercourse, or the crest of a significant ridgeline (as determined by the Commission); and
- within 500 feet of a dedicated open space area.

Class 6 - Privately-owned land, in all Zones, which cannot meet the standards of "Class 5" above but is of such size, character, location, topography, and natural screening that its use will have minimal impact on its surroundings (as determined by the Commission).

Class 7 - All other land areas. Although not prohibited, lands outside the parameters of Classes 1 - 6, inclusive, are strongly discouraged.

5.19.5 - Basic Standards for WTF Sites

Every application for a new wireless telecommunication facility site shall comply with the following standards, in addition to the requirements of all other pertinent sections of these regulations (particularly Sections 5.1, 5.2, 5.3, and 5.19) according to its Class and Location (per Section 5.19.4):

<u>Class</u>	<u>Minimum Site Requirements</u>	<u>Required Procedure</u>
1	Leasehold, no minimum area. Minimum setback of Tower from all lot lines equal to height of Tower.	Public hearing and site plan approval.
2 & 3	Leasehold, no minimum area. WTF Site shall be minimum 250 feet nearest residence.	Special Permit.

continues

DEVELOPMENT STANDARDS

5.19 Wireless Telecommunication Facilities - continued

5.19.5 - Basic Standards for WTF Sites (continued)

<u>Class</u>	<u>Minimum Site Requirements</u>	<u>Required Procedure</u>
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4	Leasehold, minimum area of one (1) acre. WTF Site shall be minimum 500 feet from school or nearest residence.	Special Permit
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[Note: in Classes 5, 6, and 7, WTF is a permitted Special Use which requires its own lot and must meet standards as stated for each Class.]

5	Minimum lot area four (4) acres. Minimum frontage twenty-five (25) feet. Min. WTF setback: 200 ft. from all lot lines or a distance equal to height of Tower, whichever is greater.	Special Permit and complete environmental impact evaluation as prescribed by the Commission.
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6	Min. lot area: Ten (10) acres Min. frontage: Twenty-five (25) feet. Min. WTF setback: 300 ft. from all lot lines or a distance equal to 1 1/2 times the height of Tower, whichever is greater.	Special Permit and complete impact assessment for all environmental and cultural features within 2000 ft. of WTF Site, as prescribed by Commission.
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7	Min. lot area: Twenty-five acres, Min. frontage: twenty-five ft. Min. WTF setback: 500 ft. from all lot lines or a distance equal to three times the height of Tower, whichever is greater.	Special Permit and complete impact assessment for all environmental and cultural features within 2000 ft. of WTF Site, as prescribed by Commission.
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With the exception of repeaters, no WTF shall be located within any of the following areas:

- within 100 feet of a regulated wetland as defined in the Town's Wetland and Watercourse Regulations;
- within 200 feet of the outer riparian zone of any perennial stream, watercourse, or vernal pool;
- within 500 feet of any Historic District property or property listed on the State or Federal Register of Historic Places; and
- within the habitat of any State-listed Rare or Endangered Wildlife Species or Rare Plant Species.

continued

DEVELOPMENT STANDARDS

5.19 Wireless Telecommunication Facilities - continued

5.19.5 - Basic Standards for WTF Sites (continued)

Exception to previously outlined standards: Where the proposed WTF consists of a Minor Modification of an existing WTF, or a co-location of a WTF on an existing WTF Site or Tower, or a proposed installation of a Repeater on an existing pole or Tower, not over 50 feet in height and not within 200 feet of an existing residence, the Commission may within its discretion waive such of the specifics requirements of this Section as it deems appropriate but shall not waive the requirements of any other Section of these regulations.

5.19.6 - Specific WTF Application Requirements

An application for a minor amendment to an existing WTF, Co-location of a new WTF or an existing WTF Site or Tower, or installation of a Repeater on an existing pole or Tower shall comply with all requirements of Sections 5.1, 5.2, and this Section (5.19.6) following as the Commission deems necessary at its first review.

Application for a new WTF shall, in addition to all data and documentation required by Section 5.1 & 5.2, include the following:

- (a) Applicant Qualifications. An applicant for a WTF Site Plan or Special Permit shall submit written verification that it hold a valid FCC license to provide the proposed service, a comprehensive description of its service area and facilities, proof of ownership or lease (per class of site) for any proposed WTF Site, and shall remain the principal operator of the proposed service for the duration of the permit. No developer for resale of a WTF or applicant other than the site owner and operator/lessee of the WTF shall be qualified for permission under this Section.
- (b) Proof of Need for Facility. The extent of need for new or enhanced telecommunication facilities must be documented by broad-based customer surveys, instrumented measurements of signal reception in moving vehicles, and tests of signal strength from existing and proposed transmitter sites, to be submitted by the applicant for all portions of the proposed service area.

The applicant shall provide written documentation for all Facility Sites in Redding and any Facility Sites outside of Redding that are within five (5) miles of the proposed site, whether or not it has any legal or equitable interest (by ownership, lease or otherwise) in such sites.

continued

DEVELOPMENT STANDARDS

5.19 Wireless Telecommunication Facilities - continued

5.19.6 -Specific WTF Application Requirements (continued)

(b) Proof of Need for Facility (continued)

From each Facility Site investigated, the applicant shall demonstrate with U.S. Geological Survey 1:24,000 scale maps and written documentation that the Facility Site is not already providing, or does not have the potential by adjusting the Site, to provide Adequate Coverage or Adequate Capacity to the Town of Redding.

The documentation shall include, for each existing or potential Facility Site listed, the exact location (in longitude and latitude, to degrees, minutes and seconds), ground elevation, height of existing or required Tower or structure, type of Antennas, Antenna gain, required height on Antennas on Tower or Structure, output frequency, number of channels, power input and max. Effective Radiated Power per channel. Radial Plots shall be shown for existing Facility Sites and potential adjustments (as above) shall be analyzed for effectiveness in meeting service needs. Radial plots shall be provided on maps at a scale of 1:1000,000 and also on U.S. Geological Survey 7.5 Minute Series topography quadrangles at a scale of 1:24,000.

Written documentation by a qualified telecommunications systems engineer that no existing or planned tower or other structure can accommodate the applicant's Antenna shall be provided. For tall structures located within a two (2) mile radius of the applicant's proposed site, such documentation shall verify that all owners of these locations have been contacted and have denied permission to install the applicant's Antenna on these structures for other than economic reasons.

The applicant shall demonstrate with written documentation that it has analyzed the feasibility of Repeaters in conjunction with all existing Facility Sites to provide Adequate Coverage and/or Adequate Capacity to the Town of Redding. Radial plots of all Repeaters considered for use in conjunction with these Facility Sites shall be provided as part of this analysis.

The applicant shall further demonstrate with written documentation that it has investigated all available "state of the art" alternative technologies which might be effectively employed to provide Adequate Coverage and/or Adequate Capacity to the Town of Redding in lieu of its proposed facility.

continued

DEVELOPMENT STANDARDS

5.19 Wireless Telecommunication Facilities - continued

5.19.6 - Specific WTF Application Requirements (continued)

- (b) Proof of Need for Facility (contined)
Without adequate demonstration of need, no WTF application shall be approved.
- (c) Review by Independent Consultant
Upon submission of a WTF application, the Zoning Commission shall hire one or more independent consultants whose services shall be paid for by the applicant(s). This payment shall be made to the Town during the review prior to the rendering of a decision on the application. The consultants shall work under the direction of the Zoning Commission. Copies of the consultant findings and reports shall be made available to the applicant not less than seven (7) days prior to any meeting of the Commission to consider the consultant's report, and the applicant shall be given the opportunity to respond to said report in writing and at the next hearing when the consultant's report will be considered. The consultant(s) shall be qualified professionals in the following fields: --telecommunications engineering, --structural engineering, --monitoring of electromagnetic field, and --others as determined necessary by the Commission.
- (d) Compliance of WTF Plans with Federal and State Requirements. Requisite verification includes:
1. Copies of all submittals and showings pertaining to: FCC licensing, Environmental Impact Statements, FAA Notice of Construction or Alteration, Aeronautical Studies; and, all data, assumptions and calculations relating to service coverage and power density levels regardless of whether categorical exemption from Routine Environmental Evaluation under the FCC rules is claimed. Power density calculations shall be in accordance with "worst case" formulas in the Office of Engineering and Technology (FCC) Bulletin 65, August 1997.
2. Documentation shall include copies of valid FCC licenses for the proposed use.
3. Copies of all information submitted in compliance with requirements of the Connecticut Siting Council and with the Connecticut Dept. of Public Utilities.
- (e) Site Plan and Design Requirements
In addition to compliance with all data and specifications of Sections 5.1.1 and 5.2.2 of these Regulations, proposed WTF plans shall contain the following:

continued

5.19 Wireless Telecommunication Facilities - continued

5.19.6 - Specific WTF Application Requirements (continued)

(e) Site Plan and Design Requirements (continued)

1. Structural plans and details for any Tower or Antenna support structure. Such structure(s) shall be securely anchored in firm ground in accordance with a plan designed by a Connecticut-registered structural engineer, who shall certify on the plan that such Tower and structures are capable of withstanding sustained wind velocities of 150 miles per hour and are properly grounded for lightning strikes.
2. Elevation plans, prepared by a registered architect, shall show the specific design and details of the exterior cladding for all Towers, buildings and other structures, with special attention to aesthetics of appearance and minimizing of visibility for any structure which rises above tree-canopy level in a Residential Zone. Details shall include color and material samples.
3. Visibility sight-line analysis, by ground profile diagrams, shall be prepared by a Connecticut-registered landscape architect to show the extent of visibility of any Tower or structure which will rise above tree-canopy level. Such sight-line analyses shall extend to all roads and developed residential areas within 1,000 feet, and along at least eight compass points to higher elevations within a two-mile radius of the proposed Tower or structure.

Unless the Commission determines that an alternative arrangement would be preferable in order to minimize environmental impact, there shall be not more than one WTF Tower on any WTF site.

Within Classes 5, 6, and 7 WTF Sites, all structures including buildings, Towers and fences, shall be designed in exterior appearance to closely harmonize with the residential and natural character of their surroundings. The Commission may prescribe that any structure rising above tree-canopy level shall be effectively camouflaged against the sky or otherwise designed to resemble a tall structure normally found in a residential area such as a specimen tree, a church spire, a bell tower, a flag pole, or an antique windmill. Every building and fence within a Class 5, 6, or 7 WTF Site shall be demonstrably residential in appearance. continues

DEVELOPMENT STANDARDS

5.19 Wireless Telecommunication Facilities - continued

5.19.6 - Specific WTF Application Requirements (continued)

An all weather access roadway and ample parking area for service and emergency vehicles shall be provided for all WTF Sites. Parking areas and all on-site structures shall be densely screened from view, from all directions, in accordance with Section 5.7 hereof.

All electric, telephone and other cable-type utility lines serving Class 5, 6, or 7 WTF Sites shall be placed underground.

Night lighting of WTF Towers, Sites, and buildings, other than low-level, minimum intensity lighting of security walks and fences in accordance with Section 5.3.6, is prohibited.

No WTF Tower or Antenna shall rise to a height which would require night lighting under FAA regulations. No WTF Tower or Antenna, singly or in combination, shall exceed the following height limits above the highest point of finished ground level at the base of the supporting structure:

- Class 1, 2, and 3 WTF Sites: 200 feet.
- Class 4 WTF Sites: 150 feet, but not higher than 50% of the distance from the supporting structure to the nearest lease-line or lot line of the WTF Site, whichever limit is less.
- Class 5 & 6 WTF Sites: 120 feet, but not higher than 50% of the distance from the supporting structure to the nearest lot line of the WTF Site, whichever limit is less.
- Class 7 WTF Site: 100 feet.

From its review of sight-line visibility analysis provided as prescribed herein, the Commission may require that Class 4, 5, 6, or 7 WTF Sites be densely planted in depth inward from Site boundaries with closely-spaced indigenous evergreen forest.

(f) Balloon Test

Within 35 days of submitting an Application, Applicant will arrange to fly, or raise upon a temporary mast, a three foot diameter brightly colored balloon at the maximum height and at the location of the proposed Tower. The date, time, and location of this balloon test shall be advertised, by the Applicant, at least 7 and no more than 14 days in advance of the test date in a newspaper

continues

5.19 Wireless Telecommunication Facilities - continued

5.19.6 - Specific WTF Application Requirements (continued)

(f) Balloon Test (continued)

with a general circulation in the Town of Redding. The Applicant shall inform the Zoning Commission, in writing, of the time and date of the test at least 14 days in advance. The balloon shall be flown for at least four consecutive hours sometime between 9:00 a.m. and 5:00 p.m. of the date chosen.

In the event of the need for a follow-up test due to poor weather conditions the applicant must post a notice at the Town Clerk's Office and notify the Zoning Commission at least 48 hours in advance of the test.

(g) Mapping and Plan Details

The following detailed information must accompany each application for approval of a new WTF Site (in addition to other requirements cited above);

--Location map: copy of a portion of the most recent U.S.G.S. Quadrangle Map, 7.5 Minute Series, at a scale of 1:24,000 and showing the area within at least two miles from the proposed tower site. Indicate the Tower location and the exact Latitude and Longitude (degrees, minutes, and seconds).

--Vicinity Map at a scale of 1 inch equals 200 feet, with contour intervals no greater than 10 feet, showing the entire WTF Site and all area within 1,000 feet of the site and its property boundaries. This map will also show all roads, driveways, dwellings, buildings, above-ground utilities lines, the nature and use of land, waterbodies, wetlands, streams, extent of wooded and open land, historic sites and structures, identified or probable habitats of rare or endangered species, and all property lines and lot lines. The names and addresses of all property owners within 1,000 feet of the WTF Site shall also be shown. All existing and proposed easements on or adjacent to the WTF Site shall also be shown.

--Proposed utilities, including distance from source of power, sizes of service available and required, locations of any proposed utility or communication lines.

--Limits of areas where vegetation is to be cleared or altered, and justification for such clearing or alteration.

continued

DEVELOPMENT STANDARDS

5.19 Wireless Telecommunication Systems - continued

5.19.6 - Specific WTF Application Requirements (continued)

(g) Mapping and Plan Details (continued)

- Any direct or indirect wetlands alteration proposed.
- Detailed plans for drainage of surface and/or sub-surface water; plans to control erosion and sedimentation both during construction and as a permanent measure.
- Planned locations, size and species of proposed screening, landscape planting and ground cover (per Section 5.7).
- Location and details of proposed fencing, lighting and signs, including elevation drawings and color and texture of materials, (per Sections 5.2.2, 5.3.6, and 5.9).
- Plan of proposed access driveway or roadway and parking area at the WTF Site, including drainage, grading, and traveled width. Also including a cross section of the access drive indicating the width, depth of gravel, paving or surface materials.
- Proposed Tower and Appurtenances:
 - i. Plans, elevations, sections, and details at appropriate scales but no smaller than 1" = 10'.
 - ii. Two cross sections through proposed Tower drawn at right angles to each other, and showing the ground profile to at least 100 feet beyond the limit of clearing, and showing any guy wires or supports. Dimension the proposed height of tower above average grade at Tower Base. Show all proposed antennas, including their location on the Tower.
 - iii. Typical detail of the Tower foundation, including cross section and details. Show all ground attachments, specifications for anchor bolts and other anchoring hardware.
 - iv. Detail proposed exterior finish of Tower.
 - v. Indicate relative height of Tower to the tops of surrounding trees as they presently exist.
 - vi. Illustration of the modular structure of the proposed Tower indicating the heights of Sections which would be removed or added in the future to adapt to changing communications conditions conditions or demands, and the maximum structurally allowable design height of the proposed Tower.

continued

5.19 Wireless Telecommunication Facilities - continued

5.19.6 - Specific WTF Application Requirements (continued)

(g) Mapping and Plan Details (continued)

- vii. A Structural Professional Engineer's written description of the proposed Tower Structure and its capacity to support additional Antennas or other communications facilities at different heights and the ability of the Tower to be shortened if future communications facilities no longer require the original height, and that the tower is designed to withstand winds in accordance with the ANSI/EIA/TIA 222 standards (latest revision).
- viii. A description of Available Space on the tower, providing illustrations and examples of the type and number of Personal Wireless Service Facilities which could be mounted on the structure.

--Proposed Communications Equipment Shelter:

- i. Floor plans, elevation and cross-sections at a scale of no smaller than $1/4" = 1'$ of any proposed appurtenant structure.
- ii. Representative elevation views, indicating the roof, facades, doors and other exterior appearance and materials.

--Proposed Equipment Plan:

- i. Plans, elevation, sections and details at appropriate scales but no smaller than $1" = 10'$.
- ii. Number of Antennas and Repeaters, as well as exact locations, of Antenna(s) and of all Repeaters (if any located on a map as well as by degrees, minutes and seconds of Latitude and Longitude.
- iii. Mounting locations on Tower or structure, including height above ground.
- iv. Antenna type(s), manufacturer(s), model number(s).
- v. For each Antenna, the Antenna gain and Antenna radiation pattern.
- vi. Number of channels per Antenna, projected and maximum.
- vii. Power input to the Antenna(s).
- viii. Effective radiated power, in normal use and at maximum output for each Antenna and for all Antennas in aggregate.
- ix. Output frequency of the Transmitter(s).

continues

DEVELOPMENT STANDARDS

5.19 Wireless Telecommunication Systems - continued

5.19.6 - Specific WTF Application Requirements (continued)

(g) Mapping and Plan Details (continued)

--If the WTF Site is in a wooded area, a forest buffer strip of undisturbed trees shall be preserved for at least 100 feet in depth around the entire perimeter of the Site, and only minimally disturbed where an access driveway may cross.

--The applicant shall provide financial surety satisfactory to the Commission to cover the cost of any remediation of any damage to the landscape which occurs during the clearing of the Site.

--Fencing and Signs: the area around the Tower and Communication Equipment Shelter(s) shall be completely fenced for security to a height of six feet and gated. A sign no greater than two square feet indicating the name of the facility owner(s) and a 24 hour emergency telephone number shall be posted adjacent to the entry gate. In addition, No Trespassing or other warning signs may be posted on the fence (in accordance with Section 5.9.2 b.).

--Communication Equipment Shelters and Accessory Buildings shall be no more than 15 feet high. The building(s) shall be used only for the housing of equipment related to this particular site. Whenever possible, the building(s) shall be joined or clustered so as to appear as one building.

--New Towers shall not exceed the minimum height necessary to provide Adequate Coverage for the Personal Wireless Service Facilities proposed for use on the Tower.

--Tower(s) shall be designed to maximize potential sharing of WTF Antennas and equipment. The applicant must demonstrate the future utility of all structures for expansion of service for both the applicant and at least one other potential provider of WTF services, unless such potential additional utility is demonstrated to be technically infeasible based on data submitted by the applicant and verified by the Commission. The Commission reserved the right to require the applicant to utilize the provision of Section 16-50aa of the Connecticut General Statutes in order to achieve Tower Sharing.

continues

GENERAL PROVISIONS

5.19 Wireless Telecommunication Facilities

5.19.6 - Specific WTF Application Requirements (continued)

(g) Mapping and Plan Details (continued)

--Towers and Wireless Telecommunication Facilities shall be located so as to provide Adequate Coverage and Adequate Capacity with the least number of Towers and Antennas which is technically and economically feasible.

--The use of Repeaters to assure Adequate Coverage, or to fill holes within areas of otherwise Adequate Coverage while minimizing the number of required Towers, is permitted and encouraged. An applicant who has received a WTF Special Permit under this Section may apply to the Zoning Commission for a Minor Modification of the Special Permit to install one or more additional Repeaters subject to Site Plan approval by the Zoning Commission. Applicants shall detail the number, location, ERP and coverage of any proposed Repeaters in their systems and provide engineering data to justify their use.

--Structure or rooftop mounted WTF equipment shall meet the following requirements:

- i. It shall not be attached to a dwelling or to an accessory building which serves a dwelling.
- ii. It shall be of a color or material that matches the building or structure.
- iii. If rooftop mounted it shall not exceed the height of fifteen (15) feet above the highest part of the structure or building.
- iv. If facade mounted, it shall not project more than two (2) feet beyond the wall or facade of the building, nor more than five (5) feet above the cornice line.

--No Tower or Personal Wireless Service Facility that would be classified as a hazard to air navigation, as defined by Federal Aviation Regulations (Title 14 CFR), is permitted.

--The Zoning Commission shall request input from the Chiefs (or their departments) of fire, police, and other emergency services regarding the adequacy for emergency access of the planned driveway or roadway to the site.

continued

DEVELOPMENT STANDARDS

5.19 Wireless Telecommunication Facilities - continued

5.19.7 - Application Review and Process

The impact assessment for environmental and cultural features prescribed for Classes 5, 6, and 7. WTF Sites shall be a Comprehensive mapping and evaluation of:

- (1) the significance of all natural ecosystems on the site by a qualified environmental scientist;
- (2) the significance of hydrological features on the Site by a qualified professional hydrologist; and
- (3) the significance of all historical and archeological remains on the Site by a professional archaeologist.

Such other data and evaluation, as determined necessary in the public interest by the Commission shall be provided.

(a) Evaluation by Independent Consultants

1. Upon submission of a complete Application for a Special Use Permit under this Section, the Commission shall provide its Independent Consultant(s) with the full Application for their analysis and review.

2. Applicants for any Special Use Permit under this Article shall obtain permission from the owner(s) of the proposed property(s) or facility site(s) for the Town's Independent Consultant(s) to conduct any necessary site visit(s).

(b) Approval Criteria:

1. In acting on the Special Permit Application, the Commission shall proceed in accordance with the procedures and timetables established for Special Permits in Section 5.1 of the Regulations.

2. In addition to findings required by Section 5.1.3 of these Regulations, the Commission shall, in consultation with the Independent Consultant(s), make all of the applicable findings before granting the Special Permit as follows:

- i. That the applicant is not already providing Adequate Coverage and/or Adequate Capacity to the Town of Redding; and
- ii. That the Applicant is not able to use Existing Tower/Facility Sites wither with or without the use of Repeaters to provide Adequate Coverage and/or Adequate Capacity to the Town of Redding; and
- iii. That the Applicant has agreed to rent or lease Available Space on the Tower under the terms of a fair-market lease, without discrimination to other Personal Wireless Service Providers; and

continued

DEVELOPMENT STANDARDS

5.19 Wireless Telecommunication Facilities

5.19.7 - Application Review and Findings (continued)

(b) Approval Criteria (continued):

- iv. That the proposed WTF will not have an adverse impact on historic sites, scenic views, and residential property values; and
- v. That the Applicant has agreed to implement all reasonable measures to mitigate the potential adverse impacts of the facilities; and
- vi. That the proposal shall comply with the most current FCC Regulations regarding emissions of electromagnetic radiation as currently found in FCC Regulations, Title 47, Part 1, Section 1.1307 and all other relevant sections, and that the required Monitoring program required per Section 5.19.8 is in place and shall be paid for by the applicant.

3. Any decision by the Commission to deny an Application for a Special Permit under this Section shall be in conformance with SEC.332 [47 U.S.C. 332] (7)(B)(iii) of the Act, in that it shall be in writing and supported by substantial evidence contained in a written record.

5.19.8 - Permit Expiration and Monitoring of Compliance

- (a) A Special Permit granted pursuant to the Section shall be deemed to expire thirty-six (36) months from the date of filing the approved WTF plans in the Town Land Records (or earlier if not granted a Certificate of Zoning Compliance as provided in Section 5.1.7). However, expiration of an approved WTF Special Permit shall be deferred, provided timely application for renewal has been made, until such time as a renewal decision has been made by the Commission. A WTF Special Permit may be renewed for successive 36 month periods on application to the Zoning Commission, in form prescribed by the Commission, submitted to the Commission not later than ninety (90) days before the existing Special Permit expiration date, upon showing of continued compliance, in accordance with Section 5.19.8 (b) below. A public hearing shall be conducted on all WTF Special Permit renewal applications in the same manner as requested amendments to Special Permits (see Section 5.1.6).

continued

DEVELOPMENT STANDARDS

5.19 Wireless Telecommunication Facilities

5.19.8 - Permit Expiration and Monitoring of Compliance (continued)

- (b) All approved WTF Sites shall be monitored for compliance with FCC standards and conditions of approval established by the Zoning Commission, at the Applicant's expense, in accordance with the following schedule of requirements. Testing for emissions shall be based on generally recognized industry standards, using broadband EMF detectors, at the closest publicly accessible point on the WTF Site:
1. Pre-Testing: After the granting of a Special Permit and before Applicant's new WTF Facilities begin transmission, the applicant will pay for an Independent Consultant, hired by the Town, to Monitor the background levels of EMF radiation, around the proposed Facility Site and/or any Repeater locations to be utilized for the Applicants Wireless Telecommunication Facilities. A report of the monitoring results shall be prepared by the Independent Consultant and submitted to the Zoning Commission and the Dept. of Health.
 2. Post-Testing: After transmission begins, the owner(s) of any Wireless Telecommunication Facilities located on any Facility Site shall pay for an Independent Consultant, hired by the Town, to conduct testing and monitoring of EMF radiation emitted from said Site and/or any Repeater locations, and to report results of said monitoring, as follows:
 - i. Within 60 days of activation of a New or Modified Facility or additional permitted channels. A report of the Monitoring results shall be prepared by the Independent Consultant and submitted to the Zoning Commission.
 - ii. Upon submission of an application for Special Permit renewal, a report of the Monitoring results shall be prepared by the Independent Consultant and submitted to the Zoning Commission.
 - iii. Any Major Modification of Existing Facility, or the activation of any additional permitted channels, shall require new monitoring.
 3. Excessive Emissions: Should the monitoring of Facility Site reveal that the Site exceeds the most current FCC regulations regarding emissions of electromagnetic radiation, currently found in FCC Regulations, Title 47, part 1, Section 1.1307 and all other relevant sections, then the owner(s) of all Facilities utilizing that site shall be so notified.

continues

5.19 Wireless Telecommunication Facilities - continued

5.19.8 - Permit Expiration and Monitoring of Compliance
(continued)

The owner(s) shall submit to the Commission and the Building Inspector a plan for the reduction of emissions to a level that complies with the FCC standard within 10 business days of notification of non-compliance. That plan shall reduce emissions to the standard within 15 days of initial notification of non-compliance. Failure to accomplish this reduction of emission within 15 business days of initial notification of non-compliance shall be a violation of the Special Permit and subject to penalties and fines as specified in Section 5.1.8. Such fines shall be payable by the owner(s) of the Facilities with Antennas on the Facility Site, until compliance is achieved.

4. Structural Inspection: Tower owner(s) shall pay for an Independent Consultant (a licesed professional structural engineer), hired by the Town, to conduct inspections of the Tower's structural integrity and safety. Guyed Towers shall be inspected every three years. Monopoles and non-guyed lattice towers shall be inspected every five years. A report of the inspection results shall be prepared by the Independent Consultant and submitted to the Zoning Commission, the Town Engineer, and the Building Inspector. Any Major Modification of an Existing Facility which includes changes to Tower dimensions or antenna numbers or type shall require a new structural inspection.

5. Unsafe Structures: Should the inspection of any Tower reveal any structural defect(s) which, in the opinion of the Independent Consultant render(s) that Tower unsafe, the following action shall be taken. Within 10 business days of notification of unsafe structure, the owner(s) of the Tower shall submit a plan to remediate the structural defect(s). This plan shall be initiated within 10 days of the submission of the remediation plan, and completed as soon as reasonably possible. Failure to accomplish this remediation of structural defect(s) within 10 business days of initial notification shall be a violation of the Special Permit and subject to penalties and fines as specified un Section 5.1.8.

continues

DEVELOPMENT STANDARDS

5.19 Wireless Telecommunication Facilities - continues

5.19.9 - Inoperative WTF Must be Removed

A Wireless Telecommunication Facility which ceases to operate for a period of one year shall be removed. Cease to operate is defined as not performing the normal functions associated with a Wireless Telecommunication Facility and its equipment on a continuous and ongoing basis for a period of one year. At the time of removal, the Facility Site shall be remediated such that all WTF structures and improvements which have ceased to operate are removed. If all Facilities on a Tower have ceased to operate, the Tower shall also be removed, and the Site shall be revegetated. Existing trees and planting on the Site shall be protected and preserved. The applicant, upon obtaining a demolition permit, shall obtain a financial surety or other financial guarantee, payable to the Town of Redding and acceptable to the Commission, to cover the cost of removal of the Wireless Telecommunication Facility and the remediation of the landscape.

Upon approval of a Special Permit, the applicant shall provide a separate Demolition Performance Bond in an amount approved by the Commission. The bond shall be in form and in manner of surety as determined by the Commission, with provision for inspection and Town removal of Facilities in the event of failure to perform.

5.19.10 - Fees and Insurance

Wireless Telecommunication Facilities shall be insured by the owner(s) against damage to person or property. The owner(s) shall provide a Certificate of Insurance to the Commission on an annual basis in which the Town of Redding shall be additionally named insured.

A schedule of fees for Towers and Personal Wireless Facilities permitting and renewal, any Monitoring of emissions and inspection of structures, and any other fees shall be established by the Commission as provided by State Statute and required to defray costs, and shall be amended from time to time as necessary.

Article VI

ADMINISTRATION AND ENFORCEMENT

6.1 Required Permission

Any new use of a site, or change in the use of existing land or buildings, requires specific permission as provided in Sections 6.2, 6.3 and 6.4.*

6.2 Zoning Permit

No building or structure shall be constructed, enlarged re-constructed, demolished, moved, remodelled or converted for another use, and no land or site shall be graded, paved or developed for use until a Zoning Permit has been issued for the project by the Zoning Inspector.**

If a building or structure, fifty (50) years or older, is to be demolished, no demolition shall occur for ninety (90) days after application for a demolition permit. Demolition must be legally noticed. At the conclusion of the ninety day period the demolition permit shall be issued and demolition may occur.

Application for a zoning permit shall consist of:

- (a) Application form and fee, as prescribed by the Zoning Commission.
- (b) One copy of each of the following, where applicable:
 - site plan approved by Zoning Commission (Sections 5.1, 5.2);
 - subdivision plan approved by Planning Commission;
 - regulated activities permit and plan approved by Conservation Commission;
 - septic system permit and plan approved by Health Department or State Department of Environmental Protection;
 - driveway permit approved by the Board of Selectmen;

continues

* See definition of "Use", Section 8.1.270

** For certain exceptions allowing minor regrading, and construction under other Town permits, see Sections 5.5.1, 5.5.2.

ADMINISTRATION AND ENFORCEMENT

6.2 Zoning Permit - continued

- license, permit or approval from any other agency with legal jurisdiction over project (such as CT Departments of Transportation and Environmental Protection).
- (c) A plot plan, three (3) copies of same, drawn to a convenient decimal scale from a referenced survey map filed in the Town Land Records (or other accurate plan), showing:
 - all lot lines, lease lines, easements and rights-of-way;
 - adjacent roads and property owners, by name;
 - zone boundary lines, flood encroachment lines, 100-Year Flood elevations and boundaries (if any); and regulated wetland and watercourse boundaries (if any).
 - lot area, width, frontage, minimum rectangle, and setbacks, as prescribed by these Regulations (Section 4.6);
 - existing and proposed buildings and structures, indicating all entrances and exits, wall and eave lines, floor elevations (based on U.S. Geological Survey or comparable datum);
 - existing and proposed driveways, parking, retaining walls, and other constructed or improved site areas;
 - existing and proposed utilities, including water supply wells, septic and reserve areas, electric and telephone lines, stormwater detention and drainage facilities, fuel tanks, mechanical equipment areas, site lighting and signs;
 - proposed erosion and stormwater control plan, including narrative and certification text as required by Section 5.4.1;
 - elevation drawings of all proposed structures, indicating use, building design, and height above finished grade;
 - name of property owner and street address of site;
 - north arrow, scale, date, signature and seal of preparer of plan.

ADMINISTRATION AND ENFORCEMENT

6.2 Zoning Permit - continued

Where plot plan data is adequately shown on any of the plans submitted under "(b)" above, or the Zoning Inspector, is otherwise able to determine that all requirements of the Regulations are met, the Zoning Inspector may waive the submission of particular areas of plot plan information which would be unnecessary or repetitive.

A plot plan proposing the construction of a facility in excess of two hundred (200) square feet of ground coverage shall require the seal of a registered engineer, architect or surveyor; in other instances, the Zoning Inspector may accept an uncertified drawing, accurately drawn to scale, which in his judgment adequately demonstrates the project's compliance with these Regulations.

- (d) An inspection grant, in form acceptable to the Town, authorizing the Zoning Inspector and any other agent of the Town to enter the premises for inspection purposes during regular daytime hours throughout the duration of the permit.
- (e) When required by the Zoning Commission (see Section 5.2.8), a performance bond in form and surety acceptable to the Town to guarantee the satisfactory condition of specified work.

At completion of the footings for any building or structure, and final construction stakes for any site work which requires specific setbacks, an accurate location survey certified by a registered surveyor shall be submitted to the Zoning Inspector to verify required locations as shown on the plot plan. Where the Zoning Inspector can determine with certainty from an identifiable reference point on a prior survey certified by a registered surveyor that the building or structure lies within required setbacks, he may waive the submission of this location survey.

A zoning permit shall be valid for twelve (12) months from its date of issuance, unless revoked for cause or replaced by a certificate of zoning compliance, but shall expire six (6) months from its date of issuance if no construction has commenced.

The Zoning Commission may extend a zoning permit for one or more six (6) or twelve (12) month periods, up to 48 months additional time, when extenuating circumstances apply or very substantial progress and good faith have been demonstrated by the applicant.

ADMINISTRATION AND ENFORCEMENT

6.3 Certificate of Zoning Compliance

No building, structure, land or premises shall be occupied for use or converted to a new use until a Certificate of Zoning Compliance has been issued by the Zoning Inspector.

Where new facilities have been constructed under a site plan approved by the Zoning Commission (see Sections 5.1, 5.2), an "as built" plan, similar in content and scale to the original site plan but amended as necessary to indicate exact locations of all construction, shall be furnished to the Zoning Inspector at the time such certificate is requested.

Application for a Certificate of Zoning Compliance shall comprise a form and fee as prescribed by the Commission, including:

- (a) all relevant site plans and plot plans; and
- (b) sufficient data on the nature, size and extent of proposed uses for the Zoning Inspector to determine compliance with these Regulations.

Within fifteen (15) days of such application, the Zoning Inspector shall inspect the premises. If all requirements of these Regulations are met, including requirements of approved site and plot plans, the Certificate shall be issued within 15 days; otherwise the Certificate shall be denied for stated reasons. A new application for Certificate may be filed as soon as the causes of an earlier denial have been corrected.

A Certificate of Zoning Compliance shall remain in effect as long as the specified uses and conditional requirements are properly maintained, but shall cease whenever such conditions and uses are terminated or no longer maintained.

6.4 Compliance With Regulations

A permit, certificate or other authorization shall be issued only for a project which is in conformity with these Regulations (except as provided in Sections 5.17 and 6.6). In the event any permit or certificate is based on incorrect information, or the specific conditions of approval are not adhered to strictly, such permit or certificate shall be null and void.

ADMINISTRATION AND ENFORCEMENT

6.5 Zoning Inspector

The Zoning Commission shall appoint a Zoning Inspector who shall act as its agent in carrying out the following duties and responsibilities, in authority delegated by the Commission:

- (a) To issue or withhold zoning permits, as herein provided;
- (b) To issue or withhold certificates of zoning compliance, as herein provided;
- (c) To inspect all premises wherein:
 - 1. work is proceeding under a zoning permit;
 - 2. application is made for a certificate of zoning compliance; or
 - 3. there is filed a complaint alleging a violation of these Regulations or of an approved permit or site plan;
- (d) To enforce these Regulations uniformly, and to take remedial action in all instances wherein a violation of the Regulations or of an approved site plan or permit is found, including revocation of permits and certificates, the issuance of orders for abatement or correction, and the institution of other measures for relief as may be provided by law;
- (e) To maintain a proper record of all applications, zoning permits, certificates of compliance, site plans and plot plans, complaints, violations, orders, corrections, correspondence, notices, fees levied and collected, and such other data and files as are required by these Regulations; and
- (f) To report regularly to the Commission and carry out its directives in all matters pertaining to these Regulations.

6.6 Zoning Board of Appeals

The Zoning Board of Appeals shall have the various powers and duties prescribed by the General Statutes*, in particular:
continues

* Refer to CT General Statutes, Sections 8-5 through 8-7b.

ADMINISTRATION AND ENFORCEMENT

6.6 Zoning Board of Appeals

- (a) To hear and decide appeals from enforcement orders or decisions, where it is alleged there is error; and
- (b) To determine applications for variance, with respect to individual properties, provided any variance granted shall be in harmony with the general purposes and intent of these Regulations; shall protect the public health, safety, convenience, welfare and property values; shall comprise the minimum relief from the documented hardship of the applicant necessary for justice; shall not allow the creation, expansion, extension or intensification of non-residential uses in Residential Zones.*

The Zoning Board of Appeals may adopt necessary rules of procedure, schedule of fees, application requirements, and filing provisions such as are consistent with law and with these Regulations.

6.7 Interpretation of Regulations

Where doubt exists as to the meaning of any provision of these Regulations, the decision and interpretation of the Zoning Commission shall prevail.

A written record of all interpretations rendered by the Commission, or decided by the courts, shall be maintained by the Zoning Inspector to assist in the uniform application of the Regulations in future cases.

6.8 Violation and Penalties

Any person, persons, party, firm or corporation, whether property owner, lessee or tenant, who perpetrates or allows a violation of these Regulations shall be liable to the penalties prescribed by law**, and such legal relief as may be available to the Town of Redding.

The Zoning Inspector, or in his absence the Chairman or Vice-Chairman of the Commission, shall first order the abatement or correction of such violation, allowing ten (10) days, or such other time as provided by Statute, for compliance.**

continues

* Refer to CT General Statutes, Section 8-6.

** Refer to CT General Statutes, Section 8-12.

ADMINISTRATION AND ENFORCEMENT

6.8 Violation and Penalties - continued

Failure to correct such violation after the specified deadline for correction shall constitute a separate offense for each day such condition persists, and legal enforcement remedies shall thereafter be pursued to completion by the Commission and the Zoning Inspector.

6.9 Separability

Should any section, subsection, clause or provision of these Regulations, as herein contained or as subsequently amended, be adjudged invalid by a court of competent jurisdiction, such decision shall not affect the validity of these Regulations as a whole or the remainder thereof.

6.10 Effective date

These Regulations, and each amendment thereto, shall take effect at a time fixed by the Commission in accordance with the provisions of the General Statutes.*

* Original Zoning Regulations of the Town of Redding became effective on July 30, 1950. This comprehensive revision of the Zoning Regulations became effective February 1, 1986. For effective dates of particular amendments, refer to Section 7.2.

Article VII

AMENDMENTS

7.1 Amendment Procedure

These Regulations and the Zoning Map may be amended from time to time in accordance with procedures specified in the General Statutes, including a public hearing.

Applications for amendment shall be in form, with fees, as prescribed by the Commission. Each application shall set forth the proposed amendment in clear text or map, and shall be accompanied by cogent reasons which justify the requested change.

7.2 Adopted Amendments

Amended text will be found in the appropriate Sections, indicated by **bold-face** or other differentiated type, with effective date. For convenience, the following list is provided:

Amended

Section(s): General Subject: Effective Date:

The following definitions, which were approved on March 28, 1990, were omitted from the current printing of the Redding Zoning Regulations. They are hereby incorporated, by addendum, on February 28, 2000.

8.1.13 Affordable Housing - A dwelling having a sales price which meets the Connecticut Housing Finance Authority Eligibility Guidelines at the time of the sale of the dwelling unit.

8.1.52 Elderly or Elderly Housing - When referring to dwelling units for the Elderly, the term Elderly shall mean people age 62 or over or couples, one of whom is over age 62.

8.1.93 Historic Building or Historic Structure - A building or structure which is specifically identified on the National Register of Historic Places, or is eligible to receive such designation, or which meets the criteria for a Town Landmark under Section 5.8.1.

124a

Article VIII

DEFINITIONS

Words and phrases used in these Regulations have the conventional meanings established by standard dictionaries, except as defined in the following sections. Should doubt arise as to the intended meaning of any section, the Zoning Commission shall determine the proper interpretation.

The underlined terms shall mean as follows:*

- 8.1.10 Accessory Building - A subordinate building, the use of which is auxiliary or incidental to the principal building on the same site (Sections 3.7, 4.2).
- 8.1.11 Accessory Residential Apartment - Separate living quarters for not more than one household, which are equipped with a kitchen, a bath or lavatory, and space for sleeping facilities, and which are subordinate to and located on the same lot as a single family dwelling (Section 5.12).
- 8.1.12 Accessory Use - Any use of land or buildings which is subordinate and incidental to the principal use on the same lot, and which supports or serves the principal use. Examples: parking for a retail store, tennis court for a residence, sign for a commercial establishment, office for a resident professional person. (Sections 3.7, 4.2, 4.3, 4.4, 4.5).
- 8.1.15 *Affordable Housing - see pg 124a*
Area - See "Lot Area", Section 8.1.131.
- 8.1.17 Auction - A public sale of goods or property, conducted for a limited duration with open bidding at a specified location (Section 5.11).
- 8.1.22 Bollard - A vertical post, of solid construction to withstand vehicular impacts, placed adjacent to parking stalls and roadways for traffic control purposes (Section 5.6.5i).
- 8.1.23 Brewpub - A full-service restaurant which includes facilities for the manufacture of beer/ale for the consumption of the customers of the restaurant.
[This definition added 2/97]

* Explanation of Format:

Terms are listed alphabetically. Adjectives usually precede nouns, to maintain sense of phrasing used in Regulations (e.g.: "Customary Home Occupation", "Private School"). Parenthetical references following each definition indicate sections where defined term has particular application. The numbering sequence provides gaps to allow space for insertion of future definitions.

DEFINITIONS

- 8.1.24 Buffer – An intermediate area of land between two or more incompatible, or dissimilar, land uses; designed to protect the more sensitive use from the effects of the other through such devices as planting, topography and fencing (Sections 5.1.4, 5.2.2, 5.7.1, 5.7.2).
- 8.1.25 Building – Any structure which has a roof and is intended for the shelter, housing or enclosure of persons, animals or chattels (Sections 2.6, 2.8, 3.1, 3.2, 3.6, 3.7, 3.10, 3.12, 4.6, 5.1.3, 5.2.2, 5.4.5, 5.9 – 5.14, 5.17.2, 6.2, 6.3)
- 8.1.27 Building Line – A specially adopted line, or set of lines, which defines the maximum permissible extent of all buildings and structures on a horizontal plane within a lot. Such lines may be adopted by a Planning Commission, pursuant to the Connecticut General Statutes (Section 8-29), for the purpose of delineating future street, building and parking locations in accordance with a specific development plan for a neighborhood (Section 5.6.9)
- 8.1.29 Bumper – A device erected at the inner extremity of individual parking spaces, of post and beam construction, designed to withstand normal vehicular impacts (Section 5.6.5 i.)
- 8.1.30 Christmas Trees – See Section 5.14.1 a.
- 8.1.33 Commercial Vehicle – Any vehicle that exceeds a gross vehicle weight of 10,000 pounds and/or has been externally modified for commercial use. Examples include, but are not limited to, vehicles which display business names/numbers (excluding farm names), and also have utility bodies, dump bodies, ladder racks, and the like; excluding, however, the addition of plow mounts, trailer hitches, and caps. Also included in this definition' busses, commercial aircraft, tractor trailers, and construction equipment.
- 8.1.35 Commission – The Zoning Commission of the Town of Redding, Connecticut, as duly constituted by law (Section 1.2 and throughout).
- 8.1.36 Contiguous Land – A unified tract or parcel of land, not divided by roads, rights-of-way, lot lines, lease lines or easements conveying use or development rights (Section 8.1.130).
- 8.1.37 Coverage – The extent of a developed area on a lot. Building coverage (or structure coverage) is that portion of lot area covered by buildings (or structures), usually expressed as a percent of lot area. Site coverage is that portion of lot area covered by substantial, impervious construction such as buildings, structures and paved area, usually expressed as a percent of lot area (Section 4.6).

DEFINITIONS

- 8.1.39 Customary Home Occupation - An accessory use located in a dwelling or its accessory building(s), in which one or more of the residents of the dwelling is proprietor of an activity providing personal services or hand-crafted products for monetary consideration. The home occupation must be clearly incidental to the residential use of the premises, may not alter the exterior residential appearance of the building used, and may employ only such tools and equipment as are normally in domestic use in a residential household. Examples: food catering service, custom tailoring, telephone answering service, child day-care, music or art lessons, flower arranging, home baked goods or preserves, custom dressmaking (Sections 3.7, 4.2.2, 5.10).
- 8.1.41 Depth - See "Lot Depth", Section 8.1.132
- 8.1.42 Dish Antenna - Any device of the "dish" type, or device of equivalent shape and function, which is designed to receive microwave or satellite transmission for use by the property owner (Section 4.2.2(1), 4.3.1(b), 4.4.2(h), 5.16).
- 8.1.44 Driveway - A graded and constructed access roadway situated on a lot, designed to be used as the means of vehicular access from a road to the site of a building or structure (Section 3.8).
- 8.1.46 Dwelling - A building designed or used for permanent living quarters for one or more families. The following shall not be considered a dwelling: tent, camper, mobile home, motel unit. An individual dwelling unit consists of one or more rooms within a dwelling, including a kitchen and a separate entrance, designed or used as a separate housekeeping facility for one household or residential tenancy (Sections 4.2, 5.6.2, 5.12, 5.13).
- 8.1.47 Dwelling, Principal - See "Principal Use", Section 8.1.172.
- 8.1.48 Dwelling, Single-family - See "Single-family Dwelling", Section 8.1.230.

DEFINITIONS

- 8.1.50 Easement - A designated area of real property, to which specific legal rights have been granted by its owner for the benefit of others, together with those assigned rights. A negative easement is an easement which grants to the Town or a recognized conservation organization a perpetual right to prohibit the development thereof, for the purpose of assuring the continuance of a valuable privately-owned open area (Sections 3.6, 5.2.2).
- 8.1.55 Erosion - The processes by which water, wind and other natural forces cause the removal and redistribution of soil and other earth materials (Sections 5.4, 5.14.6 (f)).
- 8.1.60 Fair - An outdoor public exhibition and sale, sponsored and conducted by a local organization (primarily serving residents of Redding) for a civic or charitable purpose, subject to special limitations on duration and activities prescribed in each case by the Zoning Commission. Examples: agricultural fair, antique show, arts and crafts show, book fair, charity bazaar, church fair, field day, firemen's carnival, flea market, food sale, musical concert (Sections 4.2.3, 5.11).
- 8.1.62 Family - One or more persons occupying a single dwelling unit and living together as one household, including foster children, boarders and domestic employees, of whom not more than five (5) shall be persons unrelated by blood, marriage or adoption (Sections 4.2.1(a), 8.1.46).
- 8.1.64 Farming - The cultivation of open land for growing of crops, hay, fodder, ensilage, pasturage, orchards, gardens, nursery stock, and related agricultural production, including the incidental raising of domestic animals and the sale of agricultural products directly resulting from such cultivation, within limits prescribed by these Regulations (Sections 4.2.1, 5.14).
- 8.1.70 Flood Plain - Any land area subject to intermittent flooding. An annual flood plain is any land area likely to sustain flooding at least once in a year of average rainfall (Section 5.4.5).

DEFINITIONS

- 8.1.71 Flood Plain 100 Year - All land area, including structures thereon, which is subject to flooding in a storm likely to occur once in 100 years. Said areas are generally described on the "Flood Insurance Rate Maps" and "Flood Insurance Study" Report prepared for the Federal Insurance Administration, on file at the Town Clerk's office and hereby incorporated by reference. Actual boundaries of 100-year flood plains are subject to determination by accurate topographic survey in each case (Section 5.4.5).
- 8.1.72 Floodway - That portion of the 100-year flood plain, containing the stream channel and adjacent bankside areas, which is able to accommodate, within twelve inches of vertical rise, the increased height of a 100-year flood resulting from fringe-area encroachments. Said areas are generally described on the "Floodway Maps" prepared for the Federal Insurance Administration, on file at the Town Clerk's office and hereby incorporated by reference (Section 5.4.5).
- 8.1.75 Floor Area - The aggregate horizontal area at floor level of all stories of a building, excluding the following features: bearing walls and columns of the building; ducts, air shafts, chimneys and flues; elevator shafts and stairwells; essential electrical, plumbing, heating, cooling and mechanical equipment areas where separated by partitions from other interior areas; unfinished attic and basement areas where not used for business or residential purposes; unenclosed porches, balconies and breezeways; and interior or under-building motor vehicle parking areas (Sections 5.6.2, 5.6.3).
- 8.1.77 Frontage - See "Lot Frontage", Section 8.1.133.
- 8.1.78 Front Lot - Any lot which meets the minimum lot frontage prescribed by these Regulations for a "front lot", for the Zone in which it is located (Section 4.6).
- 8.1.79 Front Yard - See "Yard", Section 8.1.295.

DEFINITIONS

- 8.1.82 Forestry - The cultivation and management of land for growing of trees or shrubs for lumber, timber, pulpwood, firewood, shade or ornamental tree stock, Christmas trees, watershed conservation and similar forest management purposes. Such activities do not include intensive land clearing, saw mills or processing of forest products except as provided in Section 5.14 of these Regulations (Sections .2.1, 5.14).
- 8.1.92 Height of Building or Structure - The vertical distance to the top of a building or structure, measured from the average finished grade at its base to the highest point of a roof, parapet wall, or structural member - whichever is highest.
- Average finished grade shall be determined by measured finished ground elevations equally spaced (maximum 10 feet apart) in a continuum around the perimeter of the building or structure, and dividing their sum by the total number of such elevations (Sections 3.12, 4.6).
- Historic Building - see pg. 124*
- 8.1.95 Horticulture - The intensive cultivation of soil for growing of flowers, vegetables, fruits, herbs, ornamental shrubs and other plants. Incidental sales of produce and plants raised entirely on the premises by the residents thereof are included subject to the limitations of Section 5.14.1. Accessory shade houses, greenhouses, and retail sales buildings are included within the use but may require a special permit; see Section 5.14.4. (Sections 4.2.1, 5.14).
- 8.1.105 Impervious Area - Any land or portion of a site covered by constructed features which prevent the direct percolation of surface water into the underlying earth. Examples: buildings, paved parking and roadways, masonry walls and terraces, swimming pools, sidewalks, hard-surface playing courts, paved driveways. Constructed features capable of absorbing and transmitting surface water (such as lawns, gravel driveways, clay courts, natural ponds) are not considered impervious area (Section 4.6).
- 8.1.108 Inner Court - See "Inner Courts", Section 3.11.
- 8.1.109 Intensive Clearing - See Section 8.1.290, "Woodland Tract".

DEFINITIONS

- 8.1.113 Junk - Any discarded non-biodegradable waste material which occupies an aggregate land area of 25 square feet or greater on one lot. A Junk Yard is any outdoor space, in excess of 75 square feet of area, which is used for the accumulation or storage of waste or of discarded or used materials of any kind, including unregistered and/or inoperative motor vehicles; excluding, however, brush, leaves and composted vegetable matter (Sections 3.4, 5.3.9).
- 8.1.116 Kennel - Any operation in which five (5) or more dogs, six (6) months of age or older, are raised or quartered on any premises, or in which dogs in any number are groomed, boarded or otherwise provided care or services for the benefit of dog owners not residing on the premises, whether or not a State kennel license is required.
- 8.1.118 Kitchen - A space within a building, which space is designed or arranged for the preparation of food, and which contains, at a minimum, cooking facilities, a refrigerator, and a sink (Sections 5.12.3, 8.1.46).
- 8.1.120 Landmark - See "Landmark Defined", Section 5.8.1.
- 8.1.123 Landscaping - See "Landscape Requirements", Section 5.7.
- 8.1.128 Loading Space - See "Parking and Loading Facilities", Section 5.6.1.
- 8.1.130 Lot - A single tract of contiguous land, in one ownership, with boundaries defined by a property description contained in a deed or map on file in the Town of Redding Land Records; which tract is suitable for accommodation of a building or buildings within the general requirements of these Regulations (Sections 3.6, 4.2.1, 4.6).
- 8.1.131 Lot Area - The total horizontal area enclosed within the boundaries of a lot, after deducting certain features which are not includable in determining lot area as specified by Section 3.6 (Sections 3.6, 4.6).

DEFINITIONS

- 8.1.132 Lot Depth - The total horizontal distance, within a lot, between any opposite (non-intersecting) lot lines, and between any lot lines (or portions of lines) which intersect to form angles of sixty (60) degrees or less, measured parallel to the longer sides of the minimum rectangle prescribed by these Regulations (Section 3.6).
- 8.1.133 Lot Frontage - The extent, in linear distance, of a lot along any public road, public street, or subdivision road approved by the Town Planning Commission, which road or street directly abuts the lot and provides legal access to the lot across the common boundary (Section 4.6).
- 8.1.135 Lot Line - Any boundary line, or property line, which marks the edge of a lot.
- A front lot line is any lot line which bounds the right-of-way of a public road, a private road, or an access easement serving the lot, except that where a lot has frontage less than one-half the prescribed minimum width, the front lot line shall be the boundary between the front access portion of the lot (narrow portion not included in lot area) and the remainder of the lot. Such interior front lot line shall extend along and include any intersecting boundary of the lot which it meets at an angle between 150 and 210 degrees.
- A side lot line is any lot line which intersects a front lot line. A side lot line shall be considered continuous to the point where it first changes direction by forty-five (45) degrees or greater from its origin at the front lot line.
- A rear lot line is any other lot line (Section 4.6).
- 8.1.138 Lot Width - The horizontal distance within a lot, between any opposite (non-intersecting) lot lines, and between any lot line (or portions of lines) which intersect to form angles of sixty (60) degrees or less, measured parallel to the shorter sides of the minimum rectangle prescribed by these Regulations. Required minimum lot width (Section 4.6) is satisfied when the minimum rectangle fits completely into the lot (Sections 3.6, 4.6).

DEFINITIONS

- 8.1.140 Maximum - A term indicating the largest permissible size.
Example: maximum height, maximum impervious area (Section 4.6).
- 8.1.145 Minimum - A term indicating the least permissible amount.
Examples: minimum lot area, minimum building setback (Section 4.6).
- 8.1.148 Minimum Rectangle - A geometric figure superimposed on the map of a lot, within the lot boundaries, to determine required lot width and shape; comprising any rectangle which meets the minimum area and width of the rectangle specified for the appropriate zone by Section 4.6 of these Regulations. Where an existing, non-conforming lot cannot accommodate the specified minimum rectangle, a rectangle which conforms as closely as possible to the requisite area and width shall be used (see Sections 3.6, 3.14, 4.6, 5.17.2, and 8.1.138).
- 8.1.155 Nonconforming Building - See "Nonconforming Buildings and Structures", Section 5.17.2.
- 8.1.156 Nonconforming Lot - See "Nonconforming Lot", Section 5.17.1.
- 8.1.157 Nonconforming Use - See "Nonconforming Use", Section 5.17.3.
- 8.1.163 Parking Facility - An area containing improved parking spaces, access aisles, roadways, parking facility driveways, pedestrian walkways, drainage, landscaping and related features (Section 5.6.1). [amendment of 3/99]
- 8.1.164 Parking Facility Driveway - A driveway providing egress and ingress from a Parking Facility to a road (Section 3.8, 8.1.208). [amendment of 3/99]
- 8.1.165 Parking Spaces - See "Parking and Loading Facilities", Section 5.6.1.
- 8.1.166 Passenger Shelter - A structure, with or without a roof, enclosed on not more than three sides, designed to provide shelter for persons while waiting for shared or scheduled transportation service (Section 3.13(d), 4.2.3(p)).
- 8.1.170 Premises - The lot, or parcel of land in one ownership or leasehold, including all buildings thereon, which comprises the site of a particular use (Sections 4.2.2, 5.5.1, 5.6.6, 5.9, 5.10, 5.11, 5.12, 5.14).
- 8.1.172 Principal Use - The major or dominant use of a site, in terms of building space, land utilization and character of activities. A principal dwelling is the larger residence, contrasted with a smaller residence - such as an accessory apartment - on the same site (Sections 3.7, 4.2, 5.12).

DEFINITIONS

- 8.1.174 Private School - An educational institution not conducted by a public school district, but certified by the State of Connecticut or a recognized schools' association, which provides a comprehensive curriculum of academic instruction similar to that of a public school. A private school may include the following: nursery school, day-care center, kindergarten, elementary school, middle school, high school, academy, preparatory school, college or university. It does not include training institutes limited to specialized vocations, such as schools for beauticians, equipment operators, secretaries, commercial artists or writers, nor does it include shelters or training programs for the mentally handicapped, emotionally disturbed, alcoholics, or drug addicts (Sections 4.2.3, 8.1.178).
- 8.1.176 Professional Office - An office conducted by a member of a recognized profession, and limited to activities customarily incidental to such professional practice. A recognized profession shall be limited to a discipline which requires extensive education, specialized training or experience, primarily mental rather than manual labor, and a form of professional accreditation. Such professions shall include only the following: academic tutor, accountant, architect, attorney, chiropractor, clergyman, consultant, dentist, designer, economist, engineer, family counselor, financial analyst, geologist, insurance broker, landscape architect, meteorologist, optometrist, physician, planner, podiatrist, psychologist, realtor, scientist, veterinary doctor (excluding animal hospital), and such other professional occupation as may be specifically determined appropriate for inclusion by the Commission (Sections 4.2.2, 4.3.1).
- 8.1.178 Public School - An educational institution conducted by a public school district, such as the Town of Redding or Regional School District No. 9 (Section 4.2.3).
- 8.1.185 Rear Lot - Any lot other than a front lot (see Section 8.1.78). Each rear lot, where permitted, shall be served by an access way in the same ownership, at least 25 feet wide and extending from the street line to the buildable

DEFINITIONS

8.1.185 Rear lot - continued

portion of the lot (see Section 4.6). Portions of the lot which have width less than half (50%) of the specified minimum width, however, such as the access way, may not be counted toward the minimum area (Sections 3.6, 4.6, 8.1.178, 8.1.131, 8.1.138).

8.1.186 Rear Yard - See "Yard", Section 8.1.295.

8.1.190 Recreational Vehicle - Any vehicle designed or intended primarily for use in recreational activities including airplanes, boats, boat trailers, motor homes, snow mobiles, and utility trailers (Sections 3.8, 4.2.2).

8.1.200 Regulations - The "Zoning Regulations of the Town of Redding, Connecticut", as herein contained, together with the Zoning Map and all amendments to said Regulations and map as hereafter adopted (Section 1.1, and throughout).

8.1.203 Residential - Where used in the proper sense, "Residential" refers to any of the several Residential Zones established by these Regulations (see particularly Sections 4.1, 4.2, and 4.6). Where used in the general sense, "Residential" describes an environment which is desirable for dwelling purposes and in which most buildings and facilities are designed to serve residential purposes (Section 2.1 and throughout).

8.1.208 Road - Any avenue, highway, lane, street, or way dedicated or intended to be used for vehicular travel by the general public and for access to abutting property, excluding driveways (Section 3.5, 3.6, 5.2.2, 5.4.5, 5.5.3, 5.6, 5.7, 5.9, 6.2).

8.1.211 Sale - Any conveyance of goods or services for a monetary consideration; also including the terms "sell" and "sold" (Sections 4.2 (i & j), 4.3, 5.9, 5.10, 5.11, 5.14, 8.1.250).

8.1.212 Satellite Parking Facility - A secondary Parking Facility accessible only by a Satellite Parking Facility Driveway (Section 5.6.1, 8.1.213). Examples include overflow parking or staff parking. [amendment of 3/99]

8.1.213 Satellite Parking Facility Driveway - A driveway providing egress and ingress from a Satellite Parking Facility to a Parking Facility. This driveway cannot connect to a road (Section 8.1.208) except through the primary Parking Facility (Section 3.8). [amendment of 3/99]

8.1.215 School - See "Public School", Section 8.1.178, and "Private School", Section 8.1.174

8.1.218 Screening - An installation of dense evergreen plantings, fencing or other materials designed to create a visual barrier between two dissimilar or incompatible uses (Section 5.7.1).

DEFINITIONS

- 8.1.221 Setback - The Shortest horizontal distance from a specified line (such as a lot line, street line, Zone boundary line, watercourse, easement, or cub line) to the nearest point of a building, structure, paved area, driveway, or other developed feature (Sections 3.7 - 3.9, 3.12, 4.6, 5.3.6, 5.6.4, 5.6.5, 5.9, 5.12, 5.13, 5.14).
- 8.1.223 Side Lot Line - See "Lot Line", Section 8.1.135.
- 8.1.224 Side Yard - See "Yard", Section 8.1.295.
- 8.1.228 Sign - Any object designed for visual communication which displays a graphic message to the general public in written, pictorial, or symbolic form, or in combination of these forms. The term "Sign" includes all message displaying and advertising devices which are freestanding, building mounted, portable, hanging, vehicle mounted, wall-painted, suspended from trees or structures, projected electrically or mechanically, or exhibited in a building within 60 inches of a window. **When illuminated, illumination shall be of a non-flashing nature.** Examples of signs include: posters, name plaques, advertising bills, traffic signs, directional signs, product symbols, commercial streamers and pennants. "Sign" does not, however, include the flag, banner, or insignia of any domestic or governmental agency, or of any civic, patriotic, charitable, religious, fraternal or similar public-service organization.
[amendment of 6/95]
- 8.1.230 Single-Family Dwelling - A detached residence designed and used for living quarters accommodating not more than one family (Sections 4.2, 5.12, 8.1.46, 8.1.62).
- 8.1.235 Soil - The natural mineral and organic material comprising the friable surface layer of the earth; ordinarily consisting of clay, silt, sand, gravel, loam, peat, vegetative matter, stones, and boulders (Sections 2.11, 5.4, 5.5).
- 8.1.238 Street - See "Road", Section 8.1.208.
- 8.1.239 Street Line - The boundary line of land dedicated to public use, within a street or road. Street line differs from the edge of travelway or pavement which is frequently referred to as "pavement line" or "curb line". Street line commonly coincides with front line (Sections 8.1.135, 8.1.185, 8.1.221).

DEFINITIONS

- 8.1.245 Structure - Any construction composed of a foundation and supporting members(s), which is erected on or attached to a fixed location on a site or building. Structures include: buildings, bridges, utility poles and towers, sign posts, antennas, light poles, walls and fences, swimming pools, decks, tennis courts, enclosed terraces, and the like. Structures also include any above-ground utility or mechanical equipment installations which exceed two (2) square feet in individual site area, such as telephone booths, pad-mounted transformers, gasoline pumps, dumpsters, and vending machines. Structures do not include ground-level driveways, roads, sidewalks, unenclosed terraces and underground utilities such as electric conduits, drainage and septic systems (Sections 3.1, 3.2, 3.7, 3.9, 3.10, 3.12, 4.2, 4.6, 5.1.4, 5.2.4, 5.4.5, 5.8, 5.17.2, 6.2, 6.3).
- 8.1.250 Tag Sale - A public sale of household and personal goods, conducted for a limited duration by the owner of such goods at the premises where he or she currently resides. All goods sold must be from the premises of those persons conducting the sale (Section 5.11).
- 8.1.254 Terrace - A level, hard-surfaced, unroofed outdoor activity area, designed to accommodate patio furniture or pedestrian use, which is constructed on graded earth with a surface of stone, brick, tile, or other paving materials (Section 3.9).
- 8.1.260 Town - The Town of Redding, Connecticut (Sections 2.2, 2.11, 4.2.3, and throughout).
- 8.1.270 Use - The specific purpose for which land, a building, a structure, or any combination thereof, is designed, intended, occupied, constructed or maintained. Examples: single-family residential, retail business, professional office. Principal Use, see Section 8.1.172; Accessory Use, see Section 8.1.12 (Section 3.1 - 3.4, 4.2 - 4.5, and throughout).
- 8.1.275 Vehicle Trip - One round trip by a single motor vehicle, either originating from or destined for the same specified location (Section 5.10).

DEFINITIONS

- 8.1.280 Watercourse - Any stream, brook, river, waterway, marsh, pond, lake, or similar body of water, as more particularly defined in the "Inlands/Wetlands and Watercourses Regulations of the Town of Redding, Connecticut" (Sections 2.10, 5.3.3, 5.4, 5.6.4, 5.14.6).
- 8.1.285 Wetland - Land consisting of soils that are poorly drained, very poorly drained, alluvial, or flood plain, as more particularly defined in the "Inlands/Wetlands and Watercourses Regulations of the Town of Redding, Connecticut" (Sections 2.10, 3.6, 4.1, 5.2.2, 5.5.1).
- 8.1.288 Wind Energy Conversion System (WECS) - A fixed location windmill, turbine, or other device equipped with moving vanes or rotors; which device is designed to convert the energy of the wind to a form of usable energy (Sections 4.2.3 (r), 5.15).
- 8.1.289 Wireless Telecommunication Facility (WTF) - Any combination of apparatus, equipment, facilities, utilities, buildings or structures as a fixed location, including the site and lot on which located, which is intended or used for the wireless broadcast or transmission of person-to-person communication signals consistent with provisions of the Telecommunication Act of 1996. A WTF includes personal wireless service facilities, repeaters, antennas, and any related radio-frequency broadcast apparatus used for personal communication. A WTF does not include commercial or public service radio or television facilities broadcasting to the general public (Section 5.19). [Note: This Section added to the Regulations 6/98].
- 8.1.290 Woodland Tract - An area of contiguous forest, woodland, or brushland in which the average caliper of trees equals or exceeds two (2) inches measured six (6) inches above ground level, located on one or more contiguous parcels or lots held in a common ownership or leasehold. Intensive Clearing of a woodland tract means removal of twenty-five (25%) or more of all trees six (6) inches or larger in caliper, measured six (6) inches above ground level, or removal of fifty percent (50%) or more of all trees and undergrowth, measured by the boundaries of the land area disturbed by clearing, whichever applies. (Section 5.5.1.)
- 8.1.295 Yard - A required open space on a lot, used to determine minimum setbacks for buildings and structures (see Sections 3.13, 4.6). Minimum yard (or required yard depth) and minimum setback are identical measurements (see Section 8.1.221).
-Front Yard extends inward from the front lot line to the requisite yard depth (or setback), and lies across the full breadth of the lot (see Section 8.1.135).
-The Side Yard extends inward from its adjacent side lot lines to the requisite yard depth (or setback), and lies between the front yard and the other side, or rear yard.
-The Rear Yard extends inward from all rear lot lines to the requisite yard depth (or setback), and includes all yard spaces not front or side yards. (Sections 3.9, 3.1..., 4.6, 8.1.135).

DEFINITIONS

- 8.1.310 Zone - Synonymous with "Zoning District"; each of the various districts established by these Regulations for the purposes cited herein, and shown on the Zoning Map (Sections 4.1 - 4.6, and throughout).
- 8.1.315 Zoning Inspector - An official appointed by the Zoning Commission and delegated certain administrative and enforcement responsibilities under these Regulations (Section 6.5).